

21012 HILLIARD BLVD.

ROCKY RIVER, OHIO 44116

(440) 331-0600

## NOTICE OF PUBLIC HEARING

BOARD OF ZONING AND BUILDING APPEALS  
ON  
APRIL 11, 2024

TO WHOM IT MAY CONCERN:

THE BOARD OF ZONING AND BUILDING APPEALS WILL HOLD A PUBLIC HEARING ON THURSDAY, APRIL 11, 2024 AT 7:00 PM FOR A VARIANCE TO CONSTRUCT A TWO-STORY GARAGE ADDITION WITH A 3' REAR YARD SETBACK VS. 25' REAR YARD SETBACK REQUIRED (Section 1153.07(f)(2) AND A VARIANCE TO CONSTRUCT A TWO-STORY ADDITION WITH A 5.5' SIDE YARD SETBACK VS. 8' SIDE YARD SETBACK REQUIRED (Section 1153.07(1)A.) FOR LOGAN PERSONS AND LAURA SUTHERLAND, 19660 SHORELAND 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 THE CALENDAR ON THE HOME PAGE OF THE CITY WEBSITE ([www.rrcity.com](http://www.rrcity.com)) AND CLICKING ON THE MEETING LISTED FOR THIS DATE. PLEASE CONTACT KATE STRAUB, PLANNING & ZONING COORDINATOR AT [kstraub@rrcity.com](mailto: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
30126078	KELLY, DONALD H. TRUSTEE	2657 TONAWANDA DR	ROCKY RIVER	OH	44116
30129038	DONATO, JESSICA	19545 SHORELAND AVE	ROCKY RIVER	OH	44116
30129035	Jane E Lewins	19629 SHORELAND AVE	Rocky River	OH	44116-2611
30126075	BRAFORD, DAVID WALTER & NANCY LEONORA	19605 TELBIR AVE	ROCKY RIVER	OH	44116
30126073	MORTENSEN, CYNTHIA A.	19639 TELBIR AVE	ROCKY RIVER	OH	44116
30126076	KENNEDY, KAREN C.	19543 TELBIR AVE	ROCKY RIVER	OH	44116
30126086	ENDERS, WEN & ENDERS, PHILLIP KLAHR	19568 SHORELAND DR	ROCKY RIVER	OH	44116
30129005	HUMPAGE, ANITA M.	19620 SHORELAND AVE	ROCKY RIVER	OH	44116
30129037	PRINGPUANGKEO, CHRISTINA M. & JOHN F.	19565 SHORELAND AVE	ROCKY RIVER	OH	44116
30129039	Peter Blesi	2744 GOLDWOOD	ROCKY RIVER	OH	44116
30126077	GRAHAM LISA TRUSTEE	PO BOX 16883	ROCKY RIVER	OH	44116
30126084	SCANDLING, JONATHAN MICHAEL & EMILY GRACE	19530 SHORELAND DR	ROCKY RIVER	OH	44116
30126079	CINDY FLYNN	19525 TELBIR AVE	ROCKY RIVER	OH	44116-2621
30126085	CORRIGAN SEAN E.	19544 SHORELAND DR	ROCKY RIVER	OH	44116
30129034	CROOK, ROBERT E. & CROOK, ANNETTE M.	19647 SHORELAND AVE	Rocky River	OH	44116
30126074	BONVISSUTO, JOE & BANDA, BHANU 19	19619 TELBIR AVE	ROCKY RIVER	OH	44116
30129004	PERSONS, LOGAN S. AND SUTHERLAND, LAURA J.	19660 SHORELAND AVE	ROCKY RIVER	OH	44116-2612
30126087	MACKIN, ALISON J.	19576 SHORELAND AVE	ROCKY RIVER	OH	44116
30129036	ELLIS, ALEXANDRA	19575 SHORELAND AVE	ROCKY RIVER	OH	44116



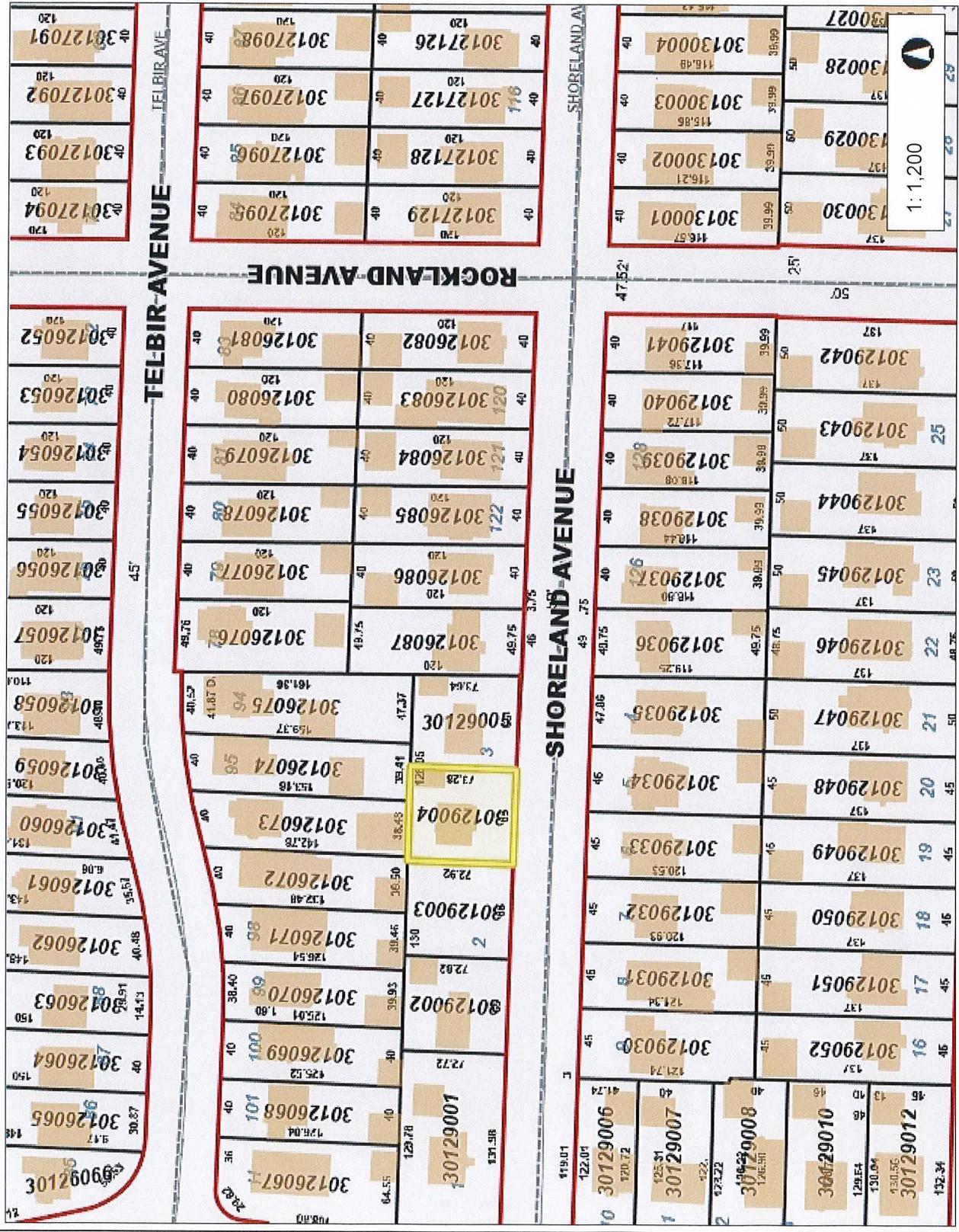
# Cuyahoga County GIS Viewer



Date Created: 4/2/2024

### Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel
- Buildings - 2017



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

## SPECIAL INSTRUCTIONS TO APPLICANTS

Your submittal must be received by the Rocky River Building Department **no later than 2 weeks (14 days) prior to the scheduled Board meeting**. The Board's regularly scheduled meetings are held on the 2nd Thursday of each month at 7:00 P.M. Each applicant will have approximately 15 minutes to present the basis for the variance request. An objection or a protest will also be given 15 minutes to present his/her position. *Please note that a separate Permit Application must be completed and permit fees must be paid prior to the start of construction. This Variance Application is NOT a Permit Application.*

Provide 10 sets of the following:

- 1) Appropriate Building Permit Application for your project. See attached Typical Variance sheet.
- 2) Application form (fully completed), which includes a written explanation of what improvement is intended to be done to your property. **Submit with application fee, as follows:**
  - Residential Variance** - \$50.00 first variance + \$20.00 each additional variance request.
  - Commercial Variance** - \$75.00 first variance + \$25.00 each additional variance request.
- 2) Detailed explanation as to reasons the variance from Code requirements should be granted, including the information or evidence you contend will support the standard of unnecessary hardship or practical difficulties as enumerated in Section 1133.17(c)(1) (Area Variances) or Section 1133.17(c)(2) (Use Variances) of the Rocky River Codified Ordinances. The attached Typical Variance Form will assist you in identifying the standard you must meet, as well as provide you with examples of information/evidence required. Complete the questions for either the Unnecessary Hardship or Practical Difficulties standard, **not both.**
- 3) Detailed site drawing, showing all structures on subject property as well as structures on affected neighboring properties with dimensions, distances and location.
- 4) Elevation drawings, if applicable.
- 5) Photographs of your property and affected adjacent properties.
- 6) Support letters.
- 7) Any other information as may be requested by the Board, Law Director or Building Commissioner.
- 8) **FOLLOWING THE GRANTING OF ANY VARIANCE, A SEPARATE PERMIT MUST BE OBTAINED FROM THE BUILDING DEPARTMENT AND ALL FEES MUST BE PAID PRIOR TO START OF CONSTRUCTION.** See Typical Variance Sheet for guidance on **Appropriate Application to be submitted.**

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

*(No communication or information shall be presented directly to any Board member by Applicant.)*

NOTE: Incomplete forms will not be forwarded to the Board of Zoning & Building Appeals.

I, DANIEL MARGULIES, (the owner/applicant) have read and agree to comply with the Special Instructions to Applicant required for an application for a variance before the Board of Zoning and Building Appeals.

**TYPICAL VARIANCE SHEET**  
Including  
Appropriate Permit Applications To Be Completed

	<b>Check as Applicable</b>	<b>Variance Standard</b>
<b>Uses:</b> <i>(Consult with Building Department for Appropriate Application to be completed)</i>		
<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
<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:</b>		
<b>Play Structures, Storage Sheds</b> <i>(Complete Accessory Structure Permit Application)</i>		
<b>Detached Garages</b> <i>(Complete Building Permit Application)</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 (Note: Total sq. ft. of all Accessory Bldgs. not to exceed 600 sq.ft.)</li> </ul>	<input type="checkbox"/>	(Area) Practical Difficulties
<b>Air Conditioners:</b> <i>(Complete HVAC Permit Application)</i>		
<ul style="list-style-type: none"> <li>&lt;10' from property line</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

BZA Application Fee: \_\_\_\_\_

Date Paid: \_\_\_\_\_

Receipt No. \_\_\_\_\_

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: \_\_\_\_\_ Hearing Date: 4/11/24

Permanent Parcel Number: 30129004 Zoning of Property R-1 SINGLE FAMILY

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

Address of property seeking variance: 19660 SHORELAND AVE

LOGAN PERSONS & LAURA SUTHERLAND  
Name of Property Owner

DANIEL MARGULIES CO., INC.  
Name of Applicant / Representative

SAME  
Address

1210 CHASE AVE., LAKEWOOD, OH. 44107  
Address

440.570.8489 \_\_\_\_\_  
Telephone No. Cell Phone No.

216.978.9237 \_\_\_\_\_  
Telephone No. Cell Phone No.

E-MAIL: lpersons@gmail.com

E-MAIL: daniele@dmc.ohiocoxmail.com

Description of what is intended to be done:

DEMOLITION OF EXISTING DETACHED GARAGE. CONSTRUCTION OF NEW  
ATTACHED TWO CAR GARAGE WITH SECOND FLOOR MASTER SUITE

Sections of the Code from which variance is being requested:

1153.07 - MINIMUM SETBACK REQUIREMENTS

List variances requested:

- ① 1153.07(A) - A 2'-6" VARIANCE FROM THE REQUIRED 8' SETBACK
- ② 1153.07(2) - A 22'-0" VARIANCE FROM THE REQUIRED 25' SETBACK

\_\_\_\_\_  
Property Owner's Signature

Daniel Margulies  
Applicant/Representative's Signature

NOTE: A SEPARATE PERMIT APPLICATION must be submitted and approved and all required fees paid prior to start of construction. See Typical Variance Sheet for appropriate Application to be submitted.

## PRACTICAL DIFFICULTIES

### ALL QUESTIONS REQUIRE A COMPLETE RESPONSE

Describe in detail how one or more of the elements to this variance standard applies to your property:

- 1) Whether unusual or exceptional circumstances or conditions apply only to the property involved or to the intended use of the property, and do not apply to other property within the same use district (i.e., small lot size, lot configuration, location or uniqueness of existing structures, etc.)

THIS PROPERTY, AND THE ADJACENT PROPERTY TO THE EAST, AND TWO ADJACENT PROPERTIES TO THE WEST ARE PECULIAR IN THIS NEIGHBORHOOD AS THEIR DEPTH AVERAGES ONLY 73'. THE AVERAGE DEPTH OF THE MAJORITY OF LOTS IN THE NEIGHBORHOOD IS 120'±. THE ORIGINAL, EXISTING HOME CURRENTLY VIOLATES THE EXISTING SETBACK REQUIREMENTS

- 2) Whether granting of a variance will not be injurious to the property or improvements in the neighborhood in which the property is located or be materially detrimental to the public welfare (i.e., how or why your property or adjacent properties will be enhanced in value, use, or aesthetic appeal).

THIS PROJECT WILL NOT BE INJURIOUS TO THE PROPERTY OR PUBLIC WELFARE, AND WILL ONLY THE VALUE, USE AND AESTHETIC APPEAL.

- 3) Whether granting of a variance will not be contrary to the purpose, intent and objectives of the Development Code and the Plan of the City (i.e., how or why the request is consistent with the City's Master Plan, or other avenues for orderly and consistent improvements in your neighborhood).

GRANTING OF THE REQUESTED VARIANCES IS NOT CONTRARY TO THE OBJECTIVES OF THE DEVELOPMENT CODE AS THIS PROJECT IS A MAJOR IMPROVEMENT OVER EXISTING CONDITIONS AND CONSISTENT WITH IMPROVEMENTS IN THE NEIGHBORHOOD.

- 4) 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 limitations of property use without the variance);

THE LOT DEPTH LIMITS POTENTIAL USES WITHOUT THE VARIANCES. A MORE SUBSTANTIAL RETURN CAN BE REALIZED WITH THE VARIANCES

- 5) Whether the variance is substantial (demonstrate how much the variance request deviates from Code requirements, such as coverage is 1 or 2% above Code, or setback is 1 or 2 feet less than Code requirement)

THE REAR YARD VARIANCE IS SUBSTANTIAL, BUT THE LOT DEPTH DICTATES THAT

- 6) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a 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);

WE BELIEVE THAT ADJOINING PROPERTIES AND THE NEIGHBORHOOD IN GENERAL WILL REALIZE A POSITIVE IMPACT TO VALUE, USE, AND AESTHETIC APPEAL

- 7) Whether the variance would adversely affect the delivery of governmental services (any impact to public utilities, road or services accessibility);

THE GRANTING OF THESE VARIANCES WILL IN NO WAY AFFECT GOVERNMENTAL SERVICES

- 8) Whether the property owner purchased the property with knowledge of the zoning restriction (self explanatory);

THE PROPERTY OWNERS PURCHASED THE PROPERTY WITH NO KNOWLEDGE OF THE ZONING RESTRICTIONS

- 9) 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);

ONCE AGAIN, DUE TO THE PECULIAR LOT DEPTH AND POSITION OF THE HOME, WE DO NOT SEE ANY OTHER SOLUTION, OTHER THAN VARIANCES

- 10) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance (Discuss the positive impact of your improvement on your surrounding neighborhood);

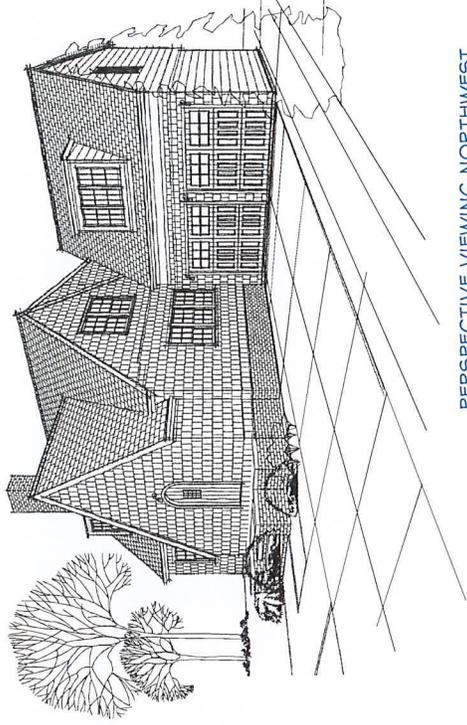
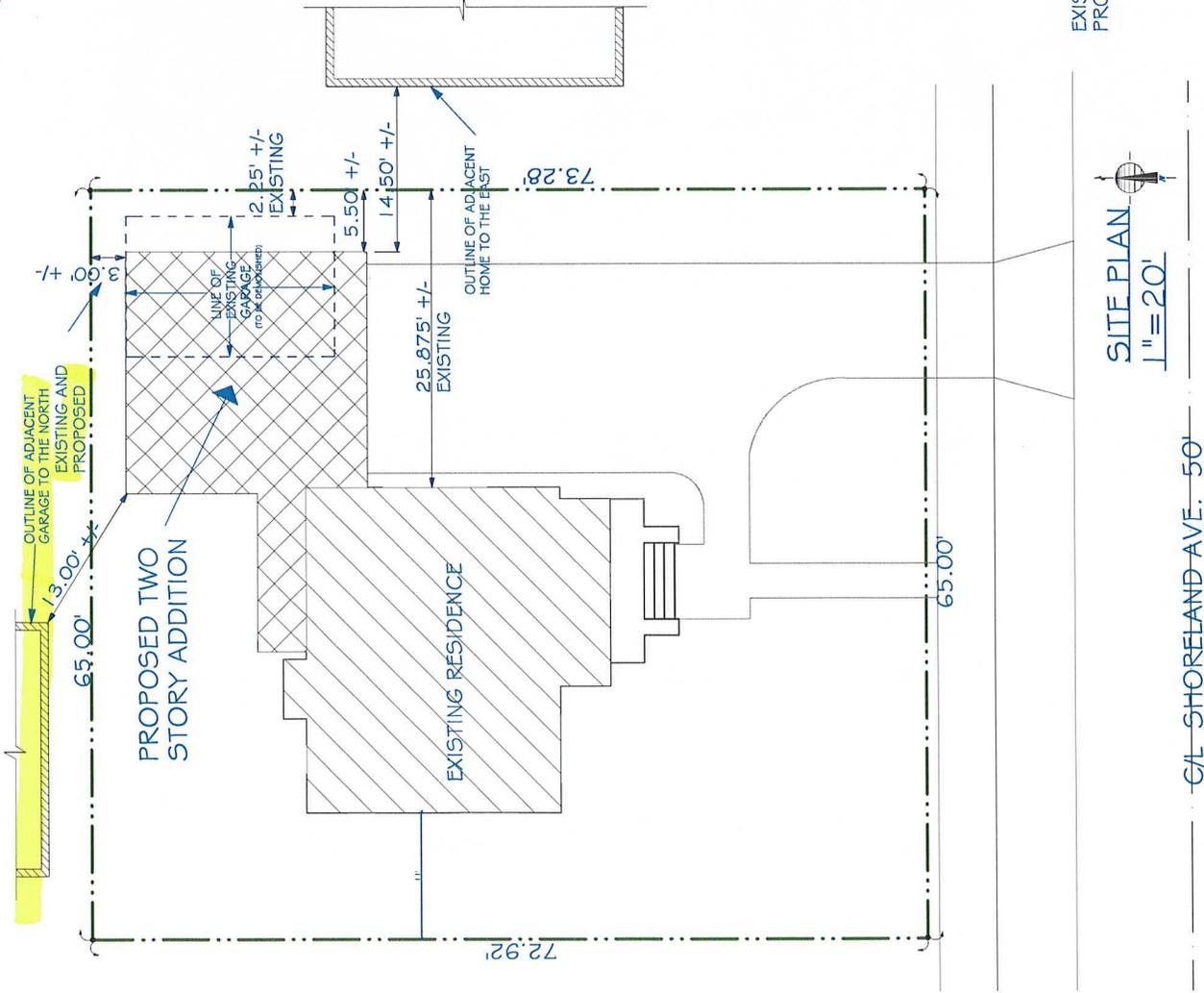
KEEPING IN MIND TODAY'S LIVING STANDARDS AND DESIRES, THE GRANTING OF THESE VARIANCES WILL ONLY ENHANCE THE NEIGHBORHOOD AND BE WITHIN THE SPIRIT OF THE ZONING REQUIREMENTS

- 11) Other

ADDITIONALLY, AS MUCH AS WE WOULD LIKE TO PULL THE GARAGE FORWARD (TO THE SOUTH), THAT WOULD COVER THE ONLY WINDOWS INTO THE LIVING ROOM.

NOTE: A SEPARATE PERMIT APPLICATION must be submitted and approved and all required fees paid prior to start of construction. See Typical Variance Sheet for appropriate Application to be submitted.

Revised site plan to show bldg in the rear on adjacent lot



DRAWING INDEX	
#	DESCRIPTION
1	COVER SHEET • DRAWING INDEX • SITE PLAN
2	FIRST FLOOR PLAN • SECOND FLOOR PLAN
3	SOUTH, NORTH, EAST and WEST EXTERIOR ELEVATIONS
4	EXTERIOR PERSPECTIVE VIEWS •
5	EXISTING CONDITIONS PHOTOGRAPHS

**LOT COVERAGE CALCULATION**

EXISTING RESIDENCE FOOTPRINT:	706 sq. ft.
PROPOSED ADDITION FOOTPRINT:	497 sq. ft.
<b>TOTAL:</b>	1,203 sq. ft./
	4,745 sq. ft. LOT AREA =
	<b>25.4%</b> COVERAGE

REVISIONS:  
03.29.24: FOR B2A APP.  
FOR PERMITS  
HOUSE AND GARAGE  
LOCATIONS

HERNISKY  
RESIDENTIAL DESIGNS

23016 Lincolnshire Dr  
Day Village, Ohio 45414  
Phone (440) 899-9007  
Fax (440) 899-9004

ADDITION & RENOVATION FOR:  
**THE PERSONS-SUTHERLAND RESIDENCE**  
19660 SHORELAND AVENUE ROCKY RIVER, OHIO

SHEET #

1 of 5

ISSUED: 03.29.24: FOR B2A APP.