

21012 HILLIARD BLVD.

ROCKY RIVER, OHIO 44116

(440) 331-0600

## NOTICE OF PUBLIC HEARING

BOARD OF ZONING AND BUILDING APPEALS  
ON  
SEPTEMBER 12, 2024

TO WHOM IT MAY CONCERN:

THE BOARD OF ZONING AND BUILDING APPEALS WILL HOLD A PUBLIC HEARING ON THURSDAY, SEPTEMBER 12, 2024, AT 7:00 PM FOR A VARIANCE TO CONSTRUCT A TWO-STORY GARAGE ADDITION WITH AN 18' – 7" REAR YARD SETBACK VS. 25' REAR YARD SETBACK REQUIRED (Section 1153.07(f)(2)) AND A VARIANCE TO CONSTRUCT A TWO-STORY GARAGE ADDITION WITH A 5' SIDE YARD SETBACK VS. 8' SIDE YARD SETBACK REQUIRED (Section 1153.07(f)(1)A.) FOR 21957 AVALON LLC AT 21957 AVALON DR.

BEFORE REACHING A DECISION, THE BOARD WILL GIVE THOSE IN ATTENDANCE AN OPPORTUNITY TO BE HEARD.

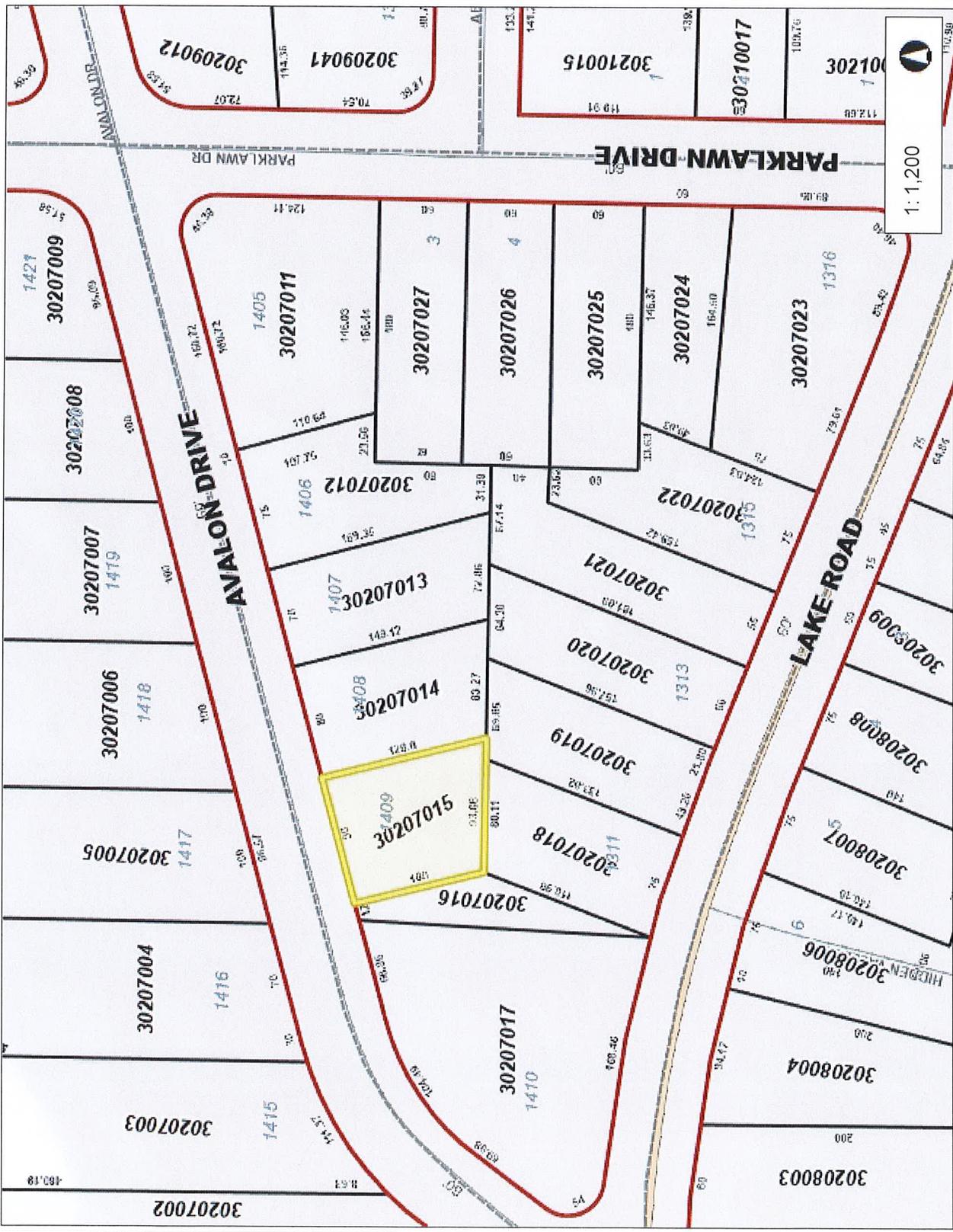
PLANS SHOWING THE PROPOSED LOCATION ARE ON FILE IN THE BUILDING DIVISION OFFICE AND ARE AVAILABLE VIA E-MAIL OR TO VIEW IN PERSON AT ROCKY RIVER CITY HALL, 21012 HILLIARD BOULEVARD. YOU MAY ALSO VIEW THE PLANS BY VISITING THE CALENDAR ON THE HOME PAGE OF THE CITY WEBSITE ([www.rrcity.com](http://www.rrcity.com)) 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

OWNER MAILING NAME	Address	City	State	Zip
Dominic V Perry Trustee	21998 AVALON DR	Rocky River	OH	44116-113
BACHOUROS, LEE F. AND CARPINELLO, STEPHEN P.	21934 LAKE RD	ROCKY RIVER	OH	44116
DI SALVO GIUSEPPE & AMANDA	21911 AVALON DR	ROCKY RIVER	OH	44116
EBERLEIN, AMY	21891 AVALON DR	ROCKY RIVER	OH	44116
MASSAD, WADE I. & AMY L.	21960 AVALON DR	ROCKY RIVER	OH	44116
339 NORTHCLIFF LLC	21916 AVALON DR	ROCKY RIVER	OH	44116
STALEY, SALLY J.	21900 LAKE RD	ROCKY RIVER	OH	44116
LUTZ, JASON C. & HEATHER M.	21958 LAKE RD	ROCKY RIVER	OH	44116
21957 AVALON LLC	21957 AVALON DR	Rocky River	OH	44116-113
Scarcella, Mary Lou	21978 AVALON DR	Rocky River	OH	44116
MICHAEL E KELLY	21890 LAKE RD	ROCKY RIVER	OH	44116
JARMOSZUK, DIANE G. AND JARMOSZUK, NICHOLAS	21884 AVALON DR	ROCKY RIVER	OH	44116
STAVOLE, DENISE M	21873 AVALON DR	ROCKY RIVER	OH	44116
CARLIN, JAMES T. & SHARON P.-CO TRUSTEES	22011 AVALON DR	ROCKY RIVER	OH	44116



# Cuyahoga County GIS Viewer

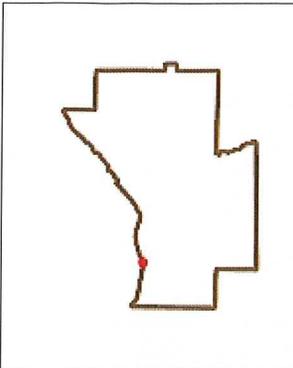


1: 1,200



Projection:  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

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



Date Created: 9/3/2024

### Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel
- Private Road

- B. The width of the side yard on the side street, as defined herein, shall be not less than one-half ( $\frac{1}{2}$ ) of the depth of the front yard required for the adjoining lot which abuts on a side street, unless shown otherwise on the Setback Map.
- C. Accessory buildings in a rear yard shall be located not less than twenty-five (25) feet (.76 m) from the side street line, but in no case less than required for the main building, and not less than ten (10) feet (3.05 m) from the rear lot line.
- (2) Interior Side Setback. The width of a side setback along the interior side lot line shall not be less than the minimum side setback as set forth in Schedule 1153.07.
- (f) Schedule 1153.07 Minimum Setback Requirements:

<b>Schedule 1153.07 Minimum Setback Requirements</b>		
	<b>R-1 Single-Family Residential District</b>	<b>R-2 Two-Family Residential District</b>
(1) Side Setback <sup>(a)</sup>		
A. Minimum of any one side	8 feet	8 feet
B. Total side setback	16 feet	16 feet
(2) Rear Setback <sup>(b)</sup>	25 ft.	25 ft.
<p><sup>(a)</sup> For lots of less than sixty (60) feet in width, each side setback shall be not less than one-eighth (<math>\frac{1}{8}</math>) of the width of the lot, but not less than five (5) feet, whichever is greater.</p> <p><sup>(b)</sup> The required rear setback, when the parcel is adjacent to Lake Erie, shall be determined by averaging the rear setbacks of the nearest dwellings on either side of the lot, but shall not be less than 25 feet. For the purposes of this Section only, the "property line" along Lake Erie shall be the point where the natural shoreline intersects the ordinary high water elevation as determined by the Ohio Department of Natural Resources, Division of Geological Survey.</p>		

BZA Application Fee: \$135

Date Paid: 9-3-24

# 1217

**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: \_\_\_\_\_  
Zoning of Property \_\_\_\_\_

Hearing Date: \_\_\_\_\_  
Permanent Parcel No. \_\_\_\_\_

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

Address of property seeking variance: 21957 Avalon Dr Rocky River Oh 44116

21957 Avalon LLC  
Name of Property Owner  
21144 Aberdeen Rd Rocky River, Oh  
44116  
Address  
216-789-5964  
Cell Phone No.  
Telephone No.

TJ McManamon/Leon Sampat  
Name of Applicant / Representative  
21144 Aberdeen Rd Rocky River, Oh 44116  
Address  
216-789-5964  
Cell Phone No.  
Telephone No.

E-MAIL: tjmac71@gmail.com

E-MAIL: tjmac71@gmail.com

Description of what is intended to be done:  
Removal of detached 2 car garage and build an attached 2 car garage addition.

Sections of the Code from which variance is being requested:  
Rear and side setbacks

List variances requested:  
Rear and side setbacks

  
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
<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>		
<b>Note:</b> <i>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).

---

Irregular lot The rear property line narrows from east to west. Current garage is 18 inches from back property line and 5 feet from west property line.

---

- 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).

---

Without the variance it does not give us the needed space for added mud room and bedrooms.

---

- 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).

---

The current garage on the property is at a 5 foot side setback and we are requesting that the side setback remains the same. This will allow the driveway to remain as well and we will pull the garage away from the neighbor.

---

- 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).

---

This variance will allow for a more aesthetically pleasing home and yard for the neighbors

---

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

No

---

---

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

---

---

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).

Yes, The moving of the garage forward will give adjacent and rear neighbor more aesthetically pleasing back and side yard.

---

---

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.

---

---

---

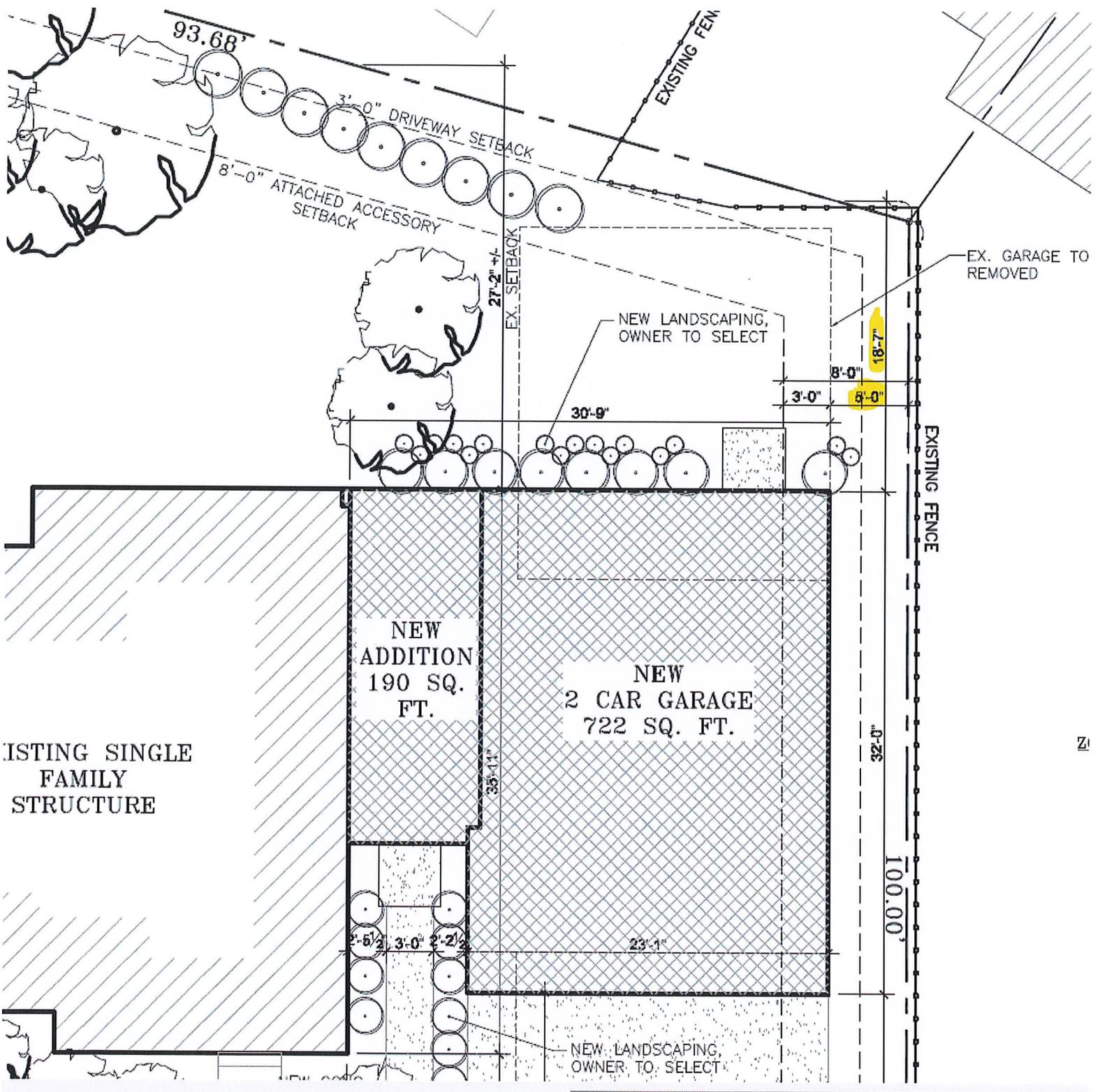
K.) Explain whether a literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Code.

---

---

---

**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.**



93.68'

3'-0" DRIVEWAY SETBACK

8'-0" ATTACHED ACCESSORY SETBACK

EXISTING FENCE

27'-2" +/- EX. SETBACK

NEW LANDSCAPING, OWNER TO SELECT

EX. GARAGE TO REMOVED

8'-0"

18'-7"

3'-0"

8'-0"

30'-9"

EXISTING FENCE

NEW ADDITION  
190 SQ. FT.

NEW 2 CAR GARAGE  
722 SQ. FT.

EXISTING SINGLE FAMILY STRUCTURE

36'-1"

32'-0"

100.00'

2'-5 1/2" 3'-0" 2'-2 1/2"

23'-1"

NEW LANDSCAPING, OWNER TO SELECT

Z1