

SUBJECT: 1100 Elmwood Rd Corner Lot Rear Yard Fence Variance Submission

TO: Board of Zoning & Building Appeals
Architectural Review Board
c/o Dylan Minek, Planning and Community Development Administrator

FROM: Kevin and Alexa Bash
Email: kabashfam@gmail.com
Phone: (419) 957-7786

ADDRESS: 1100 Elmwood Rd, Rocky River, OH 44116

DATE: May 1, 2025 (in support of 5/15 BZA and 5/19 ARB meetings)

SUMMARY & CONTENTS

This submission is provided in support of a proposed fence installation at 1100 Elmwood Road, our corner lot house in Rocky River. The project involves replacing an existing aluminum rear yard fence with a new cedar design that enhances the functionality and privacy of the yard while fitting within the architectural character of the colonial home and surrounding neighborhood.

The proposed fence will be located entirely behind the rear wall of the principal dwelling and meets all requirements for height and transparency under §1153.15(j)(3). However, because the fence also falls within the corner side yard setback under §1153.15(j)(4), three variances are requested:

- (1) A variance for height (exceeding 42 inches within the corner side setback)
- (2) A variance for style/openness (use of a picket-style instead of an ornamental design)
- (3) A variance for setback (placement within 5 feet of the side lot line)

The following documents are included in this packet to support review by the Board of Zoning and Building Appeals (BZA) and the Architectural Review Board (ARB):

Section	Description	Page #
1.0	Completed BZA Application Form & Typical Variance Sheet	1
2.0	Completed Fence Permit Application	4
3.0	Project Overview (including photos of existing conditions)	6
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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:

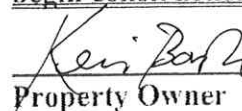
- 1) **Appropriate Building Permit Application** for your project. (i.e., Building Permit Application, Fence Permit Application, Accessory Permit Application, etc.); **Check representing Application Fee.**
- 2) **Fully completed Variance Application.** Begin with a written narrative describing exactly 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.

 May 1, 2025
Property Owner Date

 May 1, 2025
Applicant/Representative Date

BZA Application Fee: \$170

Date Paid: May 1, 2025

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 1, 2025 Hearing Date: May 15, 2025
Zoning of Property R-1 Permanent Parcel No. 302-20-019

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

Address of property seeking variance: 1100 Elmwood Rd, Rocky River OH 44116

Kevin and Alexa Bash Kevin and Alexa Bash
Name of Property Owner Name of Applicant / Representative

1100 Elmwood Rd, Rocky River OH 44116 1100 Elmwood Rd, Rocky River OH 44116
Address Address

(419) 957-7786 (419) 957-7786
Telephone No. Telephone No.
Cell Phone No. Cell Phone No.

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

Description of what is intended to be done:

Replace existing aluminum rear yard fence with a new 5' cedar picket-style fence in the same general location, requiring variances for (1) height, (2) setback, and (3) style/openness due to corner lot conditions.

Sections of the Code from which variance is being requested:

Section 1153.15(j)(4) - Fences on a Corner Lot Within the Required Corner Side Setback

List variances requested:

(1) Fence height exceeding 42 inches within the corner side setback, (2) Fence placement within 5 feet of the corner side lot line, (3) Fence style not classified as "ornamental" within the corner side setback

Kevin Bash Kevin Bash
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"> 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>		
<ul style="list-style-type: none"> Rear, side & front setbacks 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Coverage (>28%) 	<input type="checkbox"/>	(Area) Practical Difficulties
DRIVEWAYS: <i>(Complete Building Permit Application)</i>		
<ul style="list-style-type: none"> Width 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Distance from property line 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Circular if lot width is <90' 	<input type="checkbox"/>	(Area) Practical Difficulties
SIGNS: <i>(Complete Sign Permit Application)</i>		
<ul style="list-style-type: none"> Area allowed (maximum sq. ft.) 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Height 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Front setback 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Lot width <100' 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Number of items of information 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> On side of building 	<input type="checkbox"/>	(Area) Practical Difficulties
FENCES: <i>(Complete Fence Permit Application)</i>		
<ul style="list-style-type: none"> Height or Openness 	<input checked="" type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Front Yard (in setback) 	<input checked="" 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>		
<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 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Setback from property line 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> 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>		
<ul style="list-style-type: none"> 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>		
<ul style="list-style-type: none"> < the number of spaces required 	<input type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Setback from property line 	<input type="checkbox"/>	(Area) Practical Difficulties

CITY OF ROCKY RIVER
21012 HILLIARD BOULEVARD
ROCKY RIVER, OH 44116
PHONE: (440) 331-0600
FAX: (440) 895-2628

Fence Permit Application

Permit Fee: \$55.00

Date: May 1, 2025

COMMERCIAL: _____ RESIDENTIAL: X

ADDRESS OF IMPROVEMENT: 1100 Elmwood Rd, Rocky River OH 44116

OWNERSHIP: Kevin and Alexa Bash 1100 Elmwood Rd (419) 957-7786

Name Address Phone

CONTRACTOR: N/A N/A N/A

Name Address Phone

CONTRACTOR EMAIL: N/A ESTIMATED COST \$9,000

TYPE OF FENCE: Ornamental ☐ Split Rail ☐ Board on Board ☐ Picket ☒ Privacy ☐

HEIGHT & LOCATION OF FENCE: Front _____ / Ht _____ Side _____ / Ht _____ Rear X / Ht 5 ft

CORNER LOT: Yes X No _____

VARIANCE NEEDED: Yes X No _____

PROHIBITED FENCES

BOARD OF APPEALS MEETING DATE: May 15, 2025

Barbed Wire

VARIANCES NEEDED: (1) Height, (2) Setback, (3) Style/openness

Electrified

**** Caution should be used when replacing or installing a new fence on a property line and although a survey is not required, it is strongly recommended. Plan review and approvals within an HOA or any easement locations or deed restrictions are the sole responsibility of the applicant. Any dispute over the location of a proposed or installed fence shall be settled by the applicant obtaining a current survey. *By signing below I understand my responsibilities as the applicant. I further understand that I shall contact the Building Department for the initial fence location inspection and the final inspection of the fence installation.* ****

SIGNATURE OF OWNER: Kevin Bash

SIGNATURE OF APPLICANT: Kevin Bash

- Attach the *Site Plan Worksheet* showing location of proposed fence and its proximity to the house, garage and/or other existing fences. Label length of proposed fence.
- Submit application and drawings to the Building Department. The applicant will be required to display an "Intent to Build" sign for 10 days. This required notification sign will be issued to the applicant once the fence placement inspection is complete. After 10 days a permit can be obtained.
- By initialing within the box I understand that a final inspection is required in order to verify the materials used and project scope. **PLEASE CALL TO SCHEDULE FINAL INSPECTION** KB

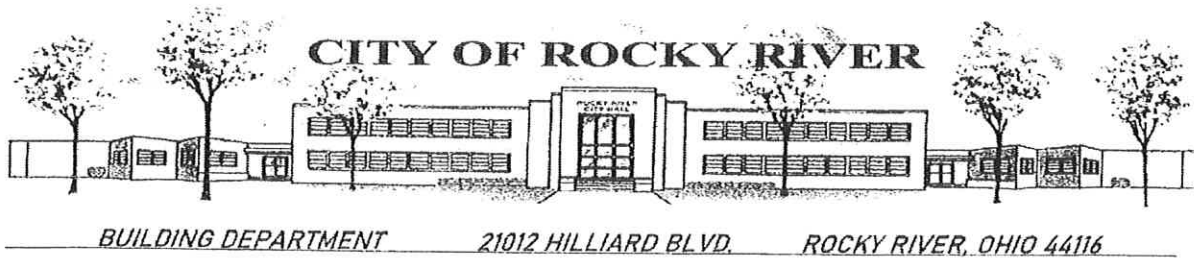
For office use only:

NOTICES SENT TO ABUTTING NEIGHBORS Date of approved Fence Location Inspection: _____

Date Sent: _____ Permanent Parcel # _____

_____ 10 Day Posting Card Issued _____

_____ Permit #: _____



Owner Acknowledgment of Property Lines

Date; May 1, 2025

I hereby acknowledge that the property line location is the sole responsibility of the property owner. The location of the fence on the plan will be measured from a point that the property owner deems as the property line. The City of Rocky River assumes no responsibility for errors related to property line location. If there is a question regarding a property line a professional land surveyor should be consulted to obtain a boundary survey.

The City of Rocky River does not determine property lines.

Property owner's Name (Print): Kevin Bash

Property Address: 1100 Elmwood Rd, Rocky River OH 44116

Property owner's phone: (419) 957-7786

Property owner's email; kabashfam@gmail.com

Property owner's Name (signature): Kevin Bash

SECTION 3.0 PROJECT OVERVIEW

We moved to Rocky River in mid-2023 and have enjoyed making a home here. As a family with two young boys (now ages 2 and 7 months) and two dogs, we live on an active corner lot with steady foot traffic. Our current aluminum fence offers little visual screening, allowing our kids and dogs to approach passersby and, in some cases, reach directly into the sidewalk—whether welcome or not. We're proposing to replace it with a modest cedar picket-style fence that creates more privacy and calm, while improving the visual appearance of the property in a way that fits the traditional character of the home and neighborhood. The new fence is primarily intended to:

- (1) Provide greater privacy from the public sidewalk and
- (2) Enhance curb appeal with natural materials suited to the home's colonial style.

The new design would also offer several secondary benefits:

- Narrower picket spacing will help contain mulch and yard materials, reducing washout onto the sidewalk and minimizing weekly maintenance.
- We plan to begin gardening and will install low wire mesh to deter rabbits and small animals—a feature that integrates more discreetly with wood than aluminum.
- A wood fence will also provide modest noise softening from the street, adding to the overall sense of privacy and calm.

Current Fence

The existing fence was installed by the previous owner in two phases and includes two distinct materials: (1) A black extruded aluminum fence, installed in 2019 under Permit No. 20190088 which encloses the rear yard along the north, east, and south property lines, and (2) a white vinyl privacy fence, installed in 2021 under Permit No. 20210062, which wraps around the south and west edges of the back patio. This vinyl fence replaced a painted wooden privacy fence of the same design. Two short aluminum return sections connect the aluminum fence to the house on the north side and to the vinyl fence on the south side.

There are three gates:

- (1) A small gate (~4 feet wide) on the north property line, shared with the neighboring yard at 1076 Elmwood Rd,
- (2) a wider gate (~8 feet wide) on the section connecting to the vinyl fence, and
- (3) a gate within the vinyl fence that opens directly onto the patio on the south side.

The aluminum fence posts are spaced approximately 6 feet apart and extend 50 inches above ground level. The vertical members (pickets) measure approximately 5/8 inches wide and are spaced 4 inches apart. The pictures that follow document the existing fence layout.

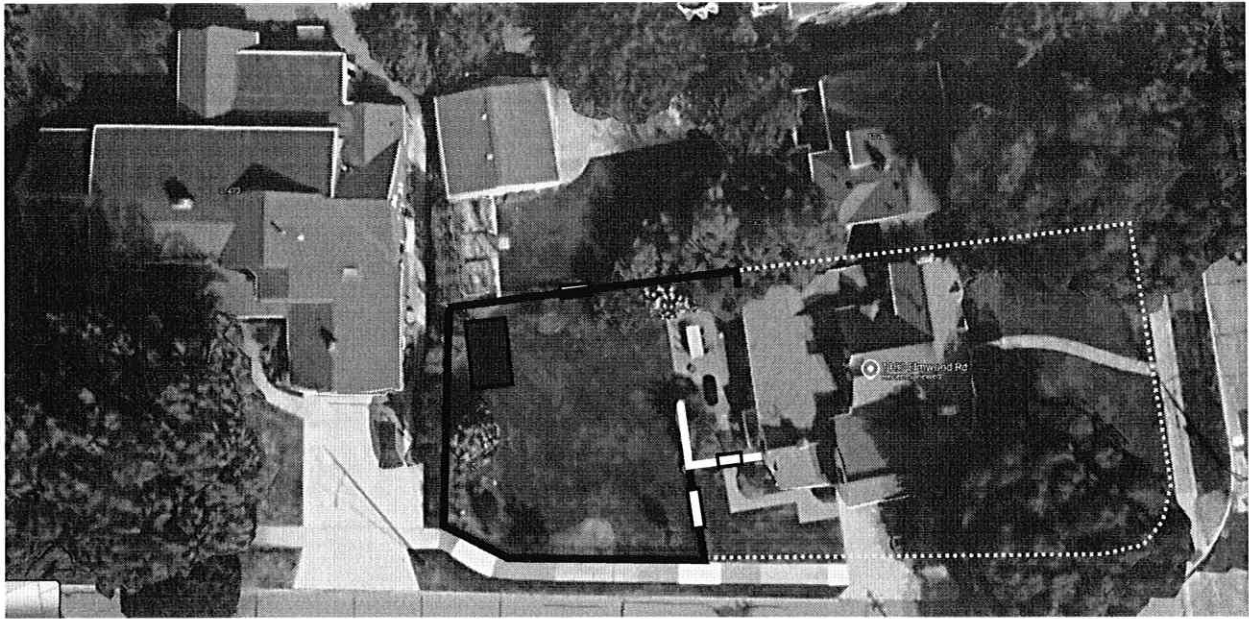


Figure 1. Aerial view of 1100 Elmwood Rd showing existing fence layout. Black = aluminum fence (north, east, and south property lines); white = vinyl privacy fence (around back patio); dotted yellow = property line. blue box = cedar shed (120 sq. ft., constructed in 2024, set 5' from the north and west property lines). White boxes indicate approximate gate locations.



Figure 2. View facing west toward the house from Erie Road, showing the connection between the aluminum and vinyl fences and their proximity to the sidewalk. Also visible are the wide aluminum gate (foreground), the vinyl gate leading into the back patio (background), and the cedar shed.



Figure 3. View of the south property line from across Erie Road, showing the full length of the aluminum fence and its proximity to the sidewalk. Three trees are planted approximately 8–10 feet north of the fence within the rear yard. The smaller aluminum gate shared with the neighboring yard at 1076 Elmwood is visible in the background, along with the cedar shed.

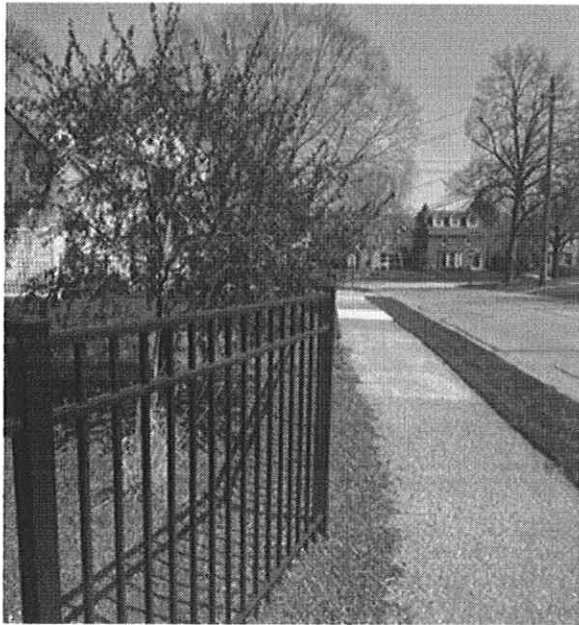


Figure 4 (left). View looking east from the southwest corner of the property, showing the aluminum fence along the south property line and its proximity to the public sidewalk.

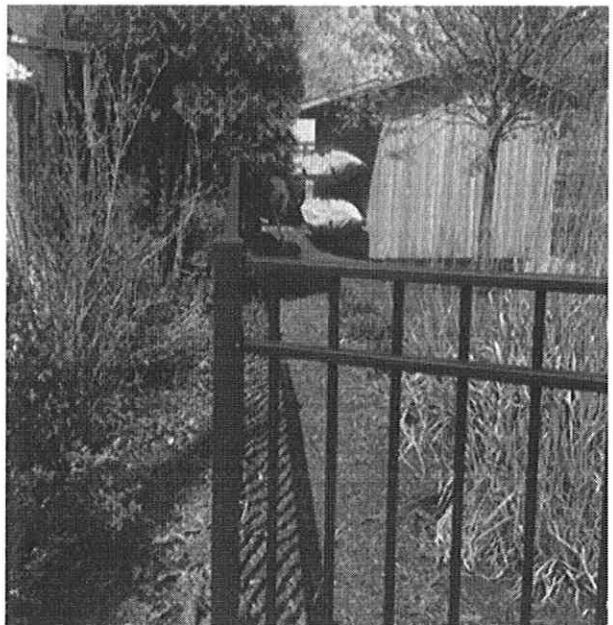


Figure 5 (right). View looking north from the same point, showing the cedar shed.

Although the current aluminum fence was installed recently, it exceeds the 42-inch height limit, and falls within the 5-foot corner side setback (approx. 6 inches set back from the sidewalk), the Building Department was unable to locate a variance on record for its construction.

Proposed Fence

The proposed fence is a cedar picket-style design that blends traditional and modern character, appropriate for the home's colonial architecture while offering a clean, updated appearance. While this is largely a replacement of the existing aluminum fence in the same general footprint, there are key differences. Importantly, the proposed fence along the north and west property lines will be fully compliant with zoning code requirements. The requested variances pertaining to height, style, and setback apply only to the portion of the fence along the south property line, which falls within the corner side yard setback under §1153.15(j)(4). Differences are as follows:

- (1) Height (requires variance): Fence posts will extend a maximum of 5 feet above ground level, with pickets measuring approximately 2 inches shorter to create a subtly stepped profile that enhances privacy without appearing oversized.
- (2) Layout (requires variance): The proposed layout (Figure 6) follows the same general alignment as the current fence, but introduces constant-radius curves at the southwest and southeast corners to enhance symmetry, craftsmanship, and soften the sidewalk edge. The new fence will be set 6 inches further inboard (12 inches from the sidewalk) on the south property line to improve visibility and pedestrian comfort. Rather than tying into the vinyl fence, it will now terminate near the southwest corner of the home's side entry. The vinyl fence will be removed with the added privacy provided by the new design.

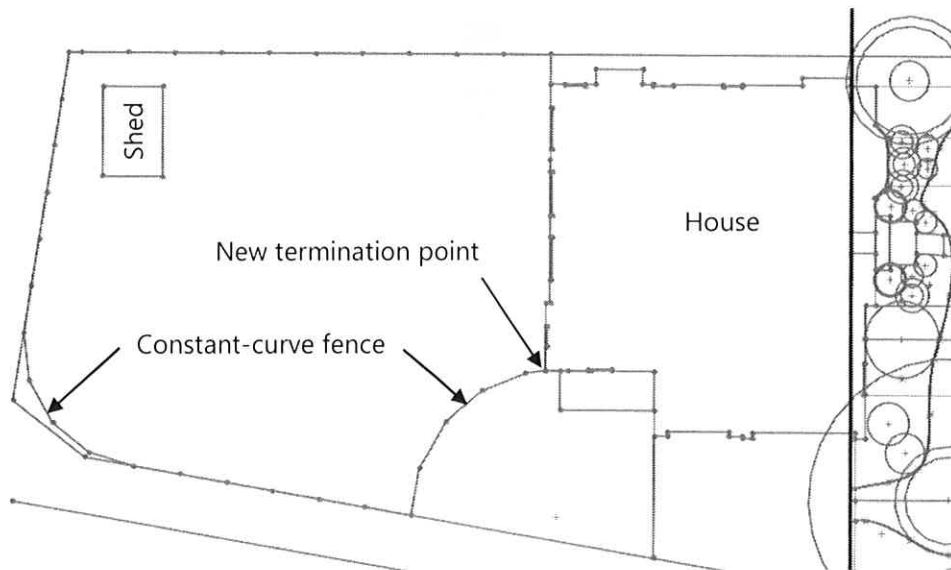


Figure 6. Diagram showing the proposed fence alignment with constant-radius curves at the southwest and southeast corners, replacing sharp angles. The fence is shifted 6 inches further inboard to improve visibility and street presence. It now terminates at the southwest corner of the home's side entry, removing the prior connection to the vinyl fence.

An additional aerial image is included below to illustrate the revised termination point of the proposed fence in relation to the home's side entry.



Figure 7. Aerial view highlighting the proposed fence's termination point near the southwest corner of the home's side entry, replacing the previous connection to the vinyl fence.

- (3) Gate Locations: The vinyl gate will be removed, leaving a single gate on the curved side-yard section of the new fence. The gate shared with 1076 Elmwood will remain in roughly the same location, and a new gate will be added on the north return section to allow access from the north side yard.
- (4) Visibility (requires variance): Pickets will be 3.5 inches wide and spaced approximately 1-3/16 inches apart, offering improved privacy compared to the existing aluminum fence while still meeting transparency requirements under §1153.15(j)(3) (25% visibility). A variance is requested for the fence on the south property line not meeting the "ornamental" fence requirement within the corner side setback.
- (5) Material: The fence will be constructed of unstained, sealed cedar, selected for its durability, weather resistance, and visual warmth. Cedar complements other elements on the property, including the shed installed last year.

Additional design details, including construction methods, post and rail profiles, finish approach are provided in Section 3.0 Proposed Fence – Design & Materials.

SECTION 4.0 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).*

1100 Elmwood Road is a corner lot with frontage on both Elmwood and Erie Roads. This dual-frontage layout places the rear yard along a public street, resulting in the corner side yard setback overlapping what would otherwise be a standard rear yard fence line.

Unlike interior lots in the same district, where rear yards are typically buffered by adjacent parcels, this lot's orientation imposes additional setback restrictions along the rear boundary due to its corner status. The proposed fence would generally follow the existing fence line and remain no closer to the street, with no expansion or deviation from the established fencing character in the area.

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).*

Requiring compliance with the 5-foot setback, 42-inch height limit, and ornamental fence requirement along the corner side lot line would:

- (1) substantially reduce the usable area of the rear yard and our ability to utilize the space,
- (2) create a narrow strip between the fence and sidewalk that would be difficult to maintain, offer limited functional value, and risk overgrowth encroaching on the public walkway, reducing overall practicality and curb appeal,
- (3) require a design that does not meet the privacy needs of a young family on a high-traffic corner, and
- (4) would likely require the removal of three existing trees along the current fence line.

The proposed fence follows the line of an existing fence that has been in place since 2019 without issue and poses no obstruction or aesthetic conflict with the streetscape. Maintaining the current alignment and a practical height through the requested variances allows us to preserve the utility of the rear yard while continuing to meet the intent of the zoning code regarding openness, visibility, and neighborhood character

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).

For height, the fence will be a maximum of 5 feet tall (just 10 inches above the current fence). For setback, the proposed fence would follow the existing line with no additional encroachment. For style, the proposed design does not meet the definition of “ornamental,” but otherwise meets the visibility intent of the code.

These adjustments represent the minimum necessary to ensure both functionality and privacy in a highly visible, corner-lot yard. All other aspects of the fence—material, transparency, and placement relative to the home—comply fully with zoning standards.

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).

The proposed fence will not alter the character of the neighborhood. Designed in keeping with our colonial home, the fence uses natural cedar and clean proportions reminiscent of traditional New England styles. It replaces an existing fence in the same general location, preserving the open feel of the corner while enhancing privacy and curb appeal.

This type of fencing is time-tested for its ability to blend function with warmth and craftsmanship, and we believe it will contribute positively to the visual quality and perceived value of surrounding homes. No negative impacts to adjacent properties are anticipated.

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

The proposed fence will not interfere with any governmental services. It does not obstruct access to utilities, easements, or collection routes, and visibility for vehicles and pedestrians remains unchanged. The updated design slightly improves conditions near the sidewalk by being set further back and reducing mulch and yard waste runoff and providing more clearance for snow removal.

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

We were aware the property was a corner lot but did not fully understand the extent of the setback requirements. At the time of purchase, we discussed the fence with the title office, our real estate agent, and the previous owners, and were advised that its replacement would not be an issue, as it had been installed recently. We were told the permitting had been handled, and early conversations with the Building Department reinforced that understanding. Only upon closer review did we learn that no variance documentation was on file.

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

No. The conditions for variance requests predate our ownership. We are simply seeking to replace an existing fence in the same general location, using materials and a design that align with zoning intent and neighborhood character.

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).

To maintain yard usability and improve privacy we considered three alternatives:

- (1) Add privacy plantings around the yard perimeter: This would reduce usable space, require ongoing maintenance, and take years to establish. It would also create a heavier visual buffer. Additionally, plantings placed immediately along the sidewalk could grow to encroach upon pedestrian traffic.
- (2) Relocate the cedar fence to meet the 5-foot setback: Moving the fence inward would shrink the functional yard and require removal or relocation of three established trees planted along the current fence line.
- (3) Use cedar fencing on one side and plantings on the other: This would reduce privacy, create a mismatched appearance, and diminish the clean, cohesive look of a full cedar fence, especially given our cedar shed and neighbor-facing fence line.

Maintaining the current alignment through a variance is the most practical and compatible solution.

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).

Granting these variances would fully uphold the spirit and intent of the zoning code, which seeks to balance privacy and property use with visibility, openness, and neighborhood character. The proposed fence meets all transparency requirements and maintains clear sightlines while providing functional, safe outdoor space for our growing family.

Replacing the existing fence with a thoughtfully designed cedar upgrade improves both the appearance and utility of the property. The use of natural materials, traditional proportions, and consistent detailing complements our colonial home and enhances the streetscape, especially on a visible corner lot. Granting the variances allows for modest adjustments in placement and height while delivering a meaningful improvement benefiting our home and contributing positively to the surrounding block.

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. Other properties in the district (including corner lots) enjoy full-use rear yards enclosed with fences at similar heights and setbacks. This variance simply enables the continued use of our yard under similar conditions without increasing encroachment or altering the character of the fence line. It does not create a special privilege, but rather reflects the lot's configuration.

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.

Yes. A literal application of the 42-inch height limit, the 5-foot setback, and the requirement for an ornamental fence style within the corner side yard would restrict our ability to install a functional, visually appropriate fence. The variances requested are modest and allow us to achieve the same reasonable use, privacy, and design flexibility commonly afforded to other properties, particularly those without corner-lot constraints.

SECTION 5.0 PROPOSED FENCE – DESIGN & MATERIALS

The proposed fence is a cedar picket-style design that balances privacy, durability, and architectural character appropriate to the home's colonial style. The overall design emphasizes clean lines, traditional proportions, and material consistency. The design reflects a commitment to craftsmanship, structural integrity, and long-term performance.

Overall Design

Fence sections will be assembled with three horizontal rails, secured between 5-foot-tall cedar posts set on 7-foot centers, and infilled with 3.5-inch-wide square cedar pickets spaced at 1-3/16 inches to meet required transparency standards. The layout follows the general alignment of the existing aluminum fence but introduces refined detailing, smoother transitions, and curved corner geometry for improved aesthetics and architectural integration with the home.

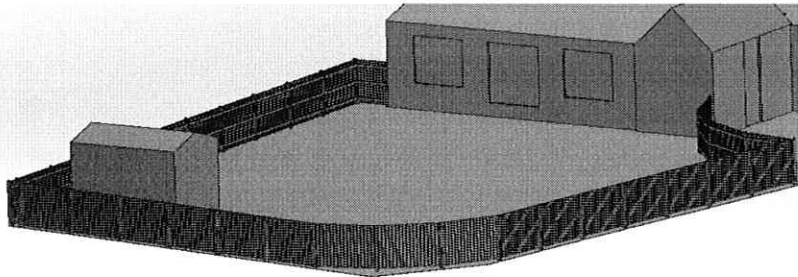


Figure 8: Aerial view of the proposed fence from the southwest lot showing the fence layout in context with the home and the shed within the enclosed yard.

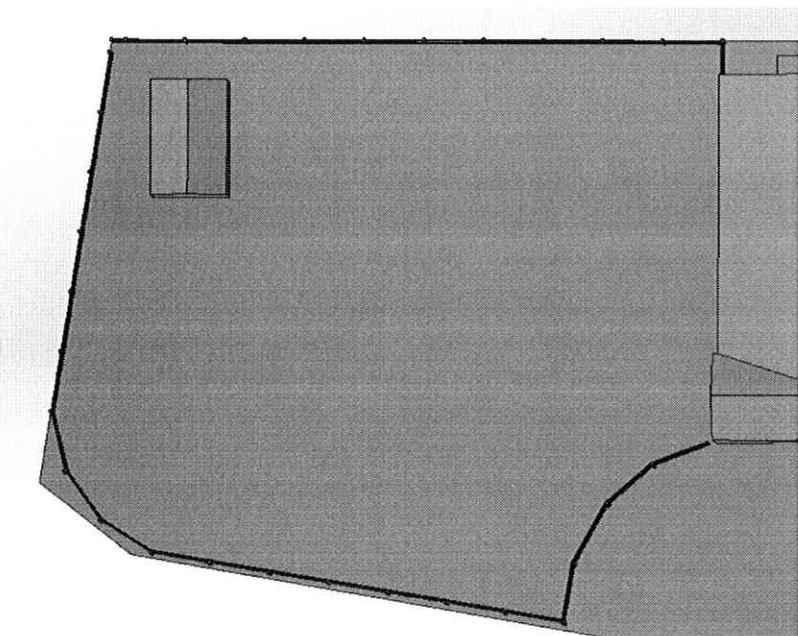


Figure 9: Overhead view of the proposed fence layout. The curved sections at the southwest and southeast corners are visible, along with the fence's termination at the southwest corner of the home's side entry. The base outline follows the existing aluminum fence alignment near the property line.

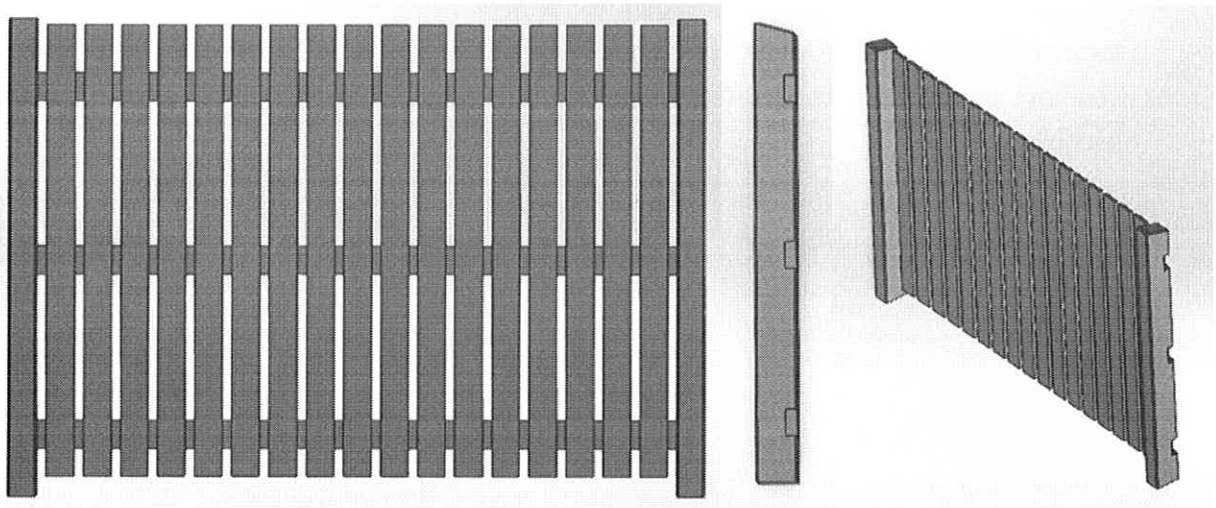


Figure 10. Fence section views, left to right: front (as viewed from outside the property), side profile, and isometric view showing post, rail, and picket configuration.

Posts

- Dimensions: Nominal 4x6, oriented with the 4-inch face aligned with the fence line to match the width of the pickets and maintain visual consistency. The 6-inch depth runs perpendicular to the fence to provide enhanced lateral resistance.
- Finished Height Above Grade: 60 inches (5 feet)
- Burial depth: 36 inches, meeting structural and Cleveland frost line requirements
- Footing system: Hybrid footing with compacted gravel for drainage and stability, topped with a concrete collar to anchor the post securely without trapping moisture; offers the best long-term balance of strength, drainage, and rot resistance.
- Base protection: The buried portion of each post will be treated with a two-stage protective finish: (1) an application of copper naphthenate (or equivalent) for rot resistance then (2) roofing tar, bituminous membrane, or equivalent to seal against soil moisture.
- Architectural detailing: Exposed post tops will be finished with a 15-degree sloped bevel to shed water, and corners will be lightly chamfered to soften edges and highlight craftsmanship. Oriented with the broader face set back from the picket line, the deeper 4x6 posts introduce a sense of depth and visual layering, giving the fence a more substantial presence.

Rails

- Dimensions: Nominal 2x4, installed on edge
- Quantity: Three per section (top, middle, bottom) to provide structural support and prevent warping, cupping, or deflection of pickets over time.

- Joinery: Fence posts will be notched to receive the rails on edge, providing strong structural support and clean alignment. Rails will be face-screwed into the notches using stainless or coated exterior-grade fasteners for secure, consistent installation across all sections.

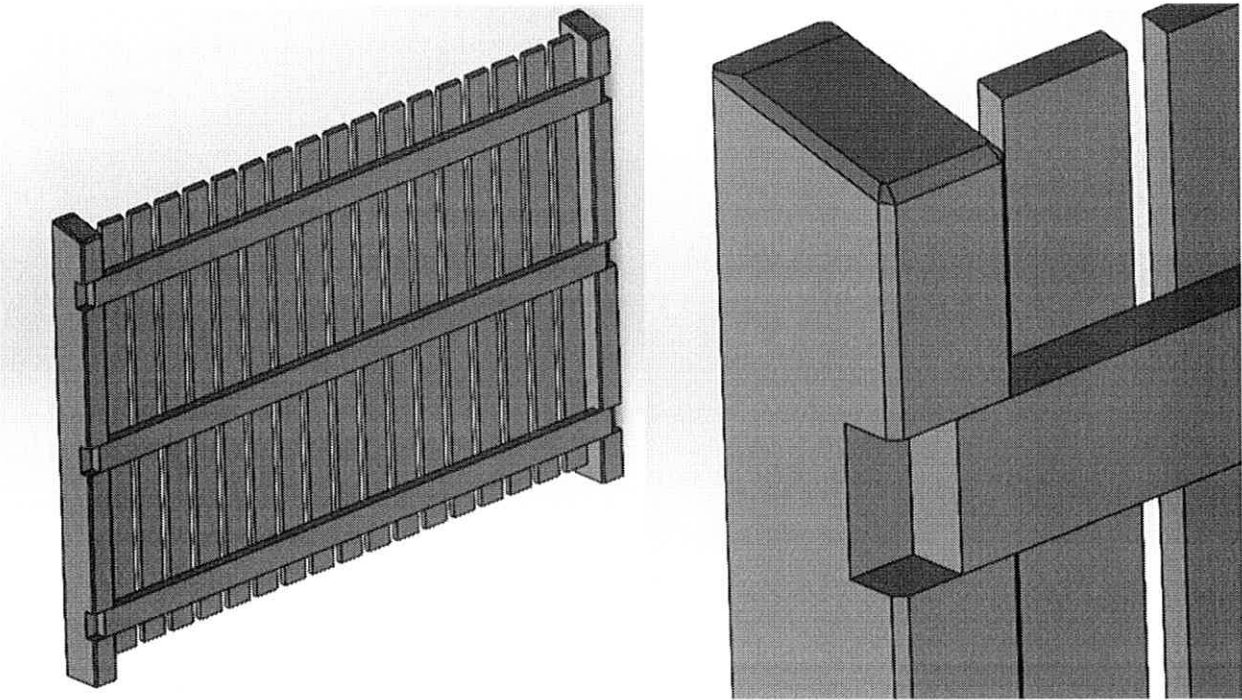


Figure 11. Isometric fence section rear view (left) and close-up of the post notch detail (right).

Pickets

- Dimensions: Nominal 1x4, square profile
- Height & Clearance: Cut to be 2 inches shorter than the posts and installed 2 inches above ground level to reduce moisture exposure and prolong lifespan.
- Spacing: Evenly spaced at 1-3/16 inches, meeting the 25% transparency requirement under §1153.15(j)(3).
- Fastening: Secured to all three rails.
- Profile Detail: The top edge of each picket is beveled at 15 degrees, matching the post tops to encourage water runoff and create a cohesive finish.

Materials & Finish

- All fence components will be constructed from cedar for its natural durability and visual compatibility with the home and shed.
- Hardware will be exterior-grade and weather-resistant (stainless steel, galvanized, or powder-coated).

- All boards will be sealed on all sides prior to assembly using a penetrating oil-based sealer that protects against moisture, UV, and mildew while preserving the wood's natural appearance.

Gates

Gates will be constructed to blend with the overall fence design and will use secure hardware that helps prevent unintended opening from the inside (particularly for child safety). Final hardware and swing direction will be selected to maintain visual consistency and ensure functional access.

Approximate gate locations are shown in the figure below to illustrate their relationship to the fence layout and property access points.

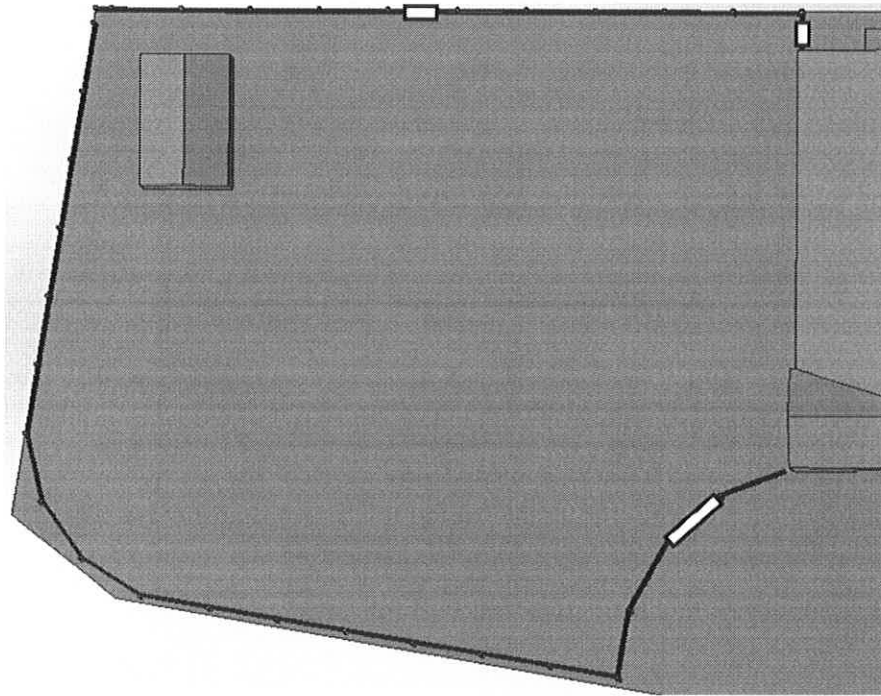


Figure 12: Overhead view of the proposed fence layout with approximate gate locations highlighted in white. Three gates are shown: one along the north property line (shared with 1076 Elmwood), one on the return section connecting to the side yard, and one integrated into the curved segment facing Erie Rd.

This proposed design reflects our investment in a long-lasting, well-crafted fence that complements the home, respects zoning intent, and enhances the character of the property.

SECTION 6.0 SITE PLAN

A recent mortgage location survey prepared by McSteen Land Surveyors is included as the base site reference for this application. This document outlines the property boundaries, structure footprint, and relationship to Elmwood and Erie Roads.



Figure 13. Mortgage location survey of 1100 Elmwood Road prepared by McSteen Land Surveyors, dated 02/28/2023. Used to reference property boundaries and fence alignment in support of the variance application.

While an elevation drawing is not included, the property features a consistently flat grade, and the proposed fence height is uniform throughout. A post-to-post field measurement of the aluminum fence confirmed minimal grade variation. Given the clarity of the provided design details and the straightforward site conditions, a separate elevation drawing would not add meaningful value to the review process.

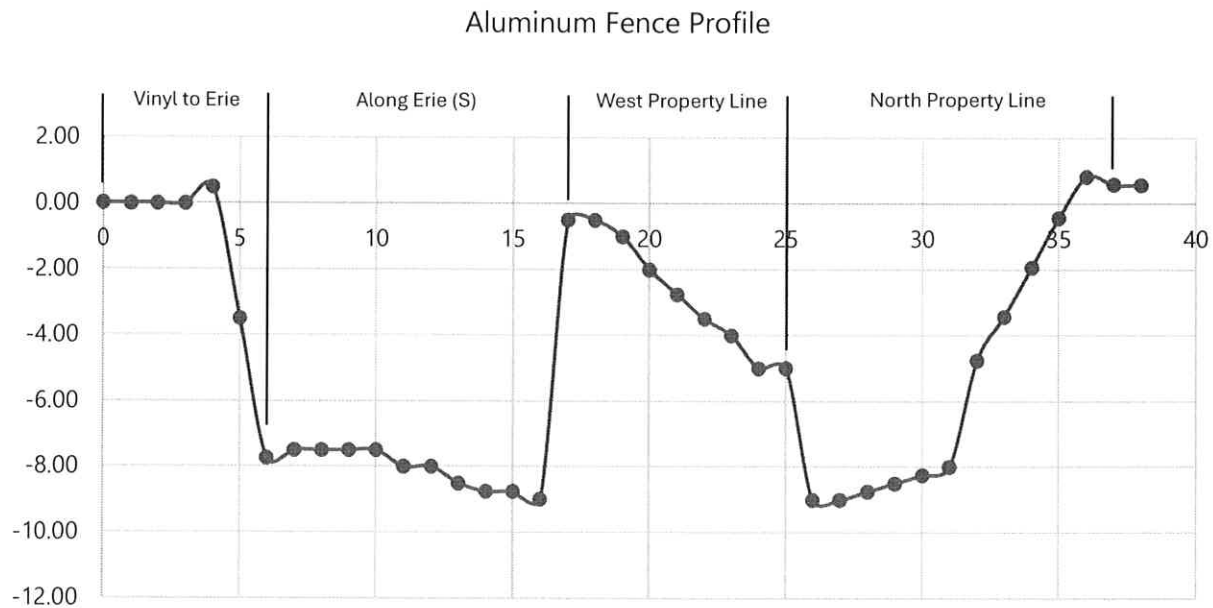


Figure 14. The total variation in post-to-post height along the existing aluminum fence is within ± 5 inches, further supporting the conclusion that the site grade is consistent and does not warrant a formal elevation drawing.

NEIGHBOR SUPPORT LETTER

1100 Elmwood Road – Fence Project

To Whom It May Concern:

We are neighbors of Kevin and Alexa Bash at 1100 Elmwood Road and understand they are planning to replace their existing rear yard fence. As part of the project, they are requesting two variances from the City of Rocky River to allow the new fence to be placed in the same location as the current one and to be slightly taller for added privacy.

We've reviewed the plans and support their effort to improve their yard with a well-designed cedar fence that fits the home and neighborhood. We appreciate their thoughtful approach and believe the project will be a positive addition to the block.

By signing below, we're showing our support for their proposed fence and the related variance requests.

Signature:

A handwritten signature in black ink, appearing to be "Michael S.", written over a horizontal line.

Address:

1076 ELMWOOD RD.

Date:

4/30/2026

NEIGHBOR SUPPORT LETTER

1100 Elmwood Road – Fence Project

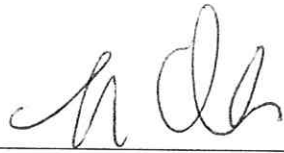
To Whom It May Concern:

We are neighbors of Kevin and Alexa Bash at 1100 Elmwood Road and understand they are planning to replace their existing rear yard fence. As part of the project, they are requesting two variances from the City of Rocky River to allow the new fence to be placed in the same location as the current one and to be slightly taller for added privacy.

We've reviewed the plans and support their effort to improve their yard with a well-designed cedar fence that fits the home and neighborhood. We appreciate their thoughtful approach and believe the project will be a positive addition to the block.

By signing below, we're showing our support for their proposed fence and the related variance requests.

Signature:

A handwritten signature in black ink, appearing to be 'A. Bash', written over a horizontal line.

Address:

1148 ELMWOOD RD

Date:

4.30.25

NEIGHBOR SUPPORT LETTER

1100 Elmwood Road – Fence Project

To Whom It May Concern:

We are neighbors of Kevin and Alexa Bash at 1100 Elmwood Road and understand they are planning to replace their existing rear yard fence. As part of the project, they are requesting two variances from the City of Rocky River to allow the new fence to be placed in the same location as the current one and to be slightly taller for added privacy.

We've reviewed the plans and support their effort to improve their yard with a well-designed cedar fence that fits the home and neighborhood. We appreciate their thoughtful approach and believe the project will be a positive addition to the block.

By signing below, we're showing our support for their proposed fence and the related variance requests.

Signature:



Anthony J. Pichot

Address:

21465 Erie Road

Date:

4/30/25