

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:

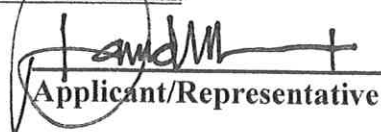
Rocky River Board of Zoning & Building Appeals, City of Rocky River Building Department, 21012 Hilliard Blvd., Rocky River, Ohio 44116. Call 440-331-0600 ext. 2037 with questions.

(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

4-30-25

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: _____
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: 19446 Frazier Dr.

Pete Carelli

Name of Property Owner

David Maddux

Name of Applicant / Representative

Arcus Group

19446 Frazier

Address

1244 Smith Ct.

Address

Rocky River

440-668 9530

Telephone No.

Cell Phone No.

440 356 5530

Telephone No.

440 823 7815

Cell Phone No.

E-MAIL: carelli.pk@gmail.com

E-MAIL: dmaddux@arcus-group.com

Description of what is intended to be done:

Proposed construction of new home on Frazier Dr.

Sections of the Code from which variance is being requested:

Front Yard Setback

List variances requested:

We are requesting a 5' front yard setback variance to place the house 15' from right of way.

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	☐	(Use) Unnecessary Hardship
ADDITIONS & BUILDINGS: <i>(Complete Building Permit Application)</i>		
Rear, side & front setbacks	☒	(Area) Practical Difficulties
Coverage (>28%)	☐	(Area) Practical Difficulties
DRIVEWAYS: <i>(Complete Building Permit Application)</i>		
Width	☐	(Area) Practical Difficulties
Distance from property line	☐	(Area) Practical Difficulties
Circular if lot width is <90'	☐	(Area) Practical Difficulties
SIGNS: <i>(Complete Sign Permit Application)</i>		
Area allowed (maximum sq. ft.)	☐	(Area) Practical Difficulties
Height	☐	(Area) Practical Difficulties
Front setback	☐	(Area) Practical Difficulties
Lot width <100'	☐	(Area) Practical Difficulties
Number of items of information	☐	(Area) Practical Difficulties
On side of building	☐	(Area) Practical Difficulties
FENCES: <i>(Complete Fence Permit Application)</i>		
Height or Openness	☐	(Area) Practical Difficulties
Front Yard (in setback)	☐	(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.)		
Height	☐	(Area) Practical Difficulties
Setback from property line	☐	(Area) Practical Difficulties
Square footage	☐	(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	☐	(Area) Practical Difficulties
Parking: <i>(Complete Building Permit Application)</i>		
< the number of spaces required	☐	(Area) Practical Difficulties
Setback from property line	☐	(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).

The lot on the northeast side of Frazier has a dramatic slope. We are positioning the house closer to the street to avoid retaining walls and make it more practical to build.

- 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).

The previous house was built at the bottom of the slope and was impractical to live in due to difficult access. To build up on top the setback variance is critical.

- 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 variance is minimal - the previous house garage was much closer to the street and neighboring house is much closer as well.

- 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 houses on this side of Frazier vary as far as front yard setbacks. The granting of this variance would not be inconsistent with character of the neighborhood.

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

N/A

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

The property owner has owned property for generations.

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

N/A

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 make a practical efficient floor plan this variance is important. Difficult to obviate in another method.

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).

The spirit of code is to maintain the essential spacing and street relationship. This doesn't conflict.

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.

N/A

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.

The setbacks create difficult building situations that are difficult for certain lots with these conditions.

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.