

# **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.**

Timothy K Palmer

4/6/2025

**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: \_\_\_\_\_

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: \_\_\_\_\_

Timohy K Palmer

Name of Property Owner

Name of Applicant / Representative

315 S Riverdale Drive Rocky River, OH 44116

Address

Address

216-905-8893

Telephone No.

216-905-8893

Cell Phone No.

Telephone No.

Cell Phone No.

E-MAIL: palmert99@yahoo.com

E-MAIL:

Description of what is intended to be done:

Front of home/side variance to add deck.

Front Set back 9.3' vs. 25' , Side set back 3.5'/3' vs 5' (deck agles away from property line  
side, 3' is closest)

Sections of the Code from which variance is being requested:

Front set back Section 1153.07(a)

Side set back Section 1153.(f)(1)

List variances requested:

Schedule 1153.07Front Set Back, Schedule 1153.07(f)(1)Side Set Back

Tim Palmer

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 <b>USE</b> 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 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><u>Note:</u></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 or rear 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).

Original home of Beachliff neighborhood, built in 1920. Home has Launch Easement to Rocky River.

Property line is right on SouthEast side of home of home where deck will be built

Home is 31' from home to property line on NorthEast side of property line. 2 set back variances needed

- 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).

Addition of deck will increase access to the Launch Easement. Deck will add home and

neighborhood value. Property where deck is planned is otherwise useless property to

Owner. Would provide wonderful outdoor space for owner and young daughter to enjoy.

- 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).

Deck would be nearly 70% of home set back of 25', at 9.3' from property line. Deck would nearly 60% of side 5' side set back, at 3' from the property line.

- 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).

Addition of deck would increase the value of the home and usage of beautiful outdoor space.

No neighbors would be negatively affected by the addition of deck. Increase in home value would actually help the neighbors.

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

No affect

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

Owner was unaware.

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

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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 other method feasible.

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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).

Not a better spirit than spending time with your children outside. Intent only better use the beautiful out space in neighborhood with family and neighbors alike.

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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 special privilege would be provided. Most homes in Beachcliff neighborhood have structure/decks <25Ft. front set back, <5Ft. side set back.

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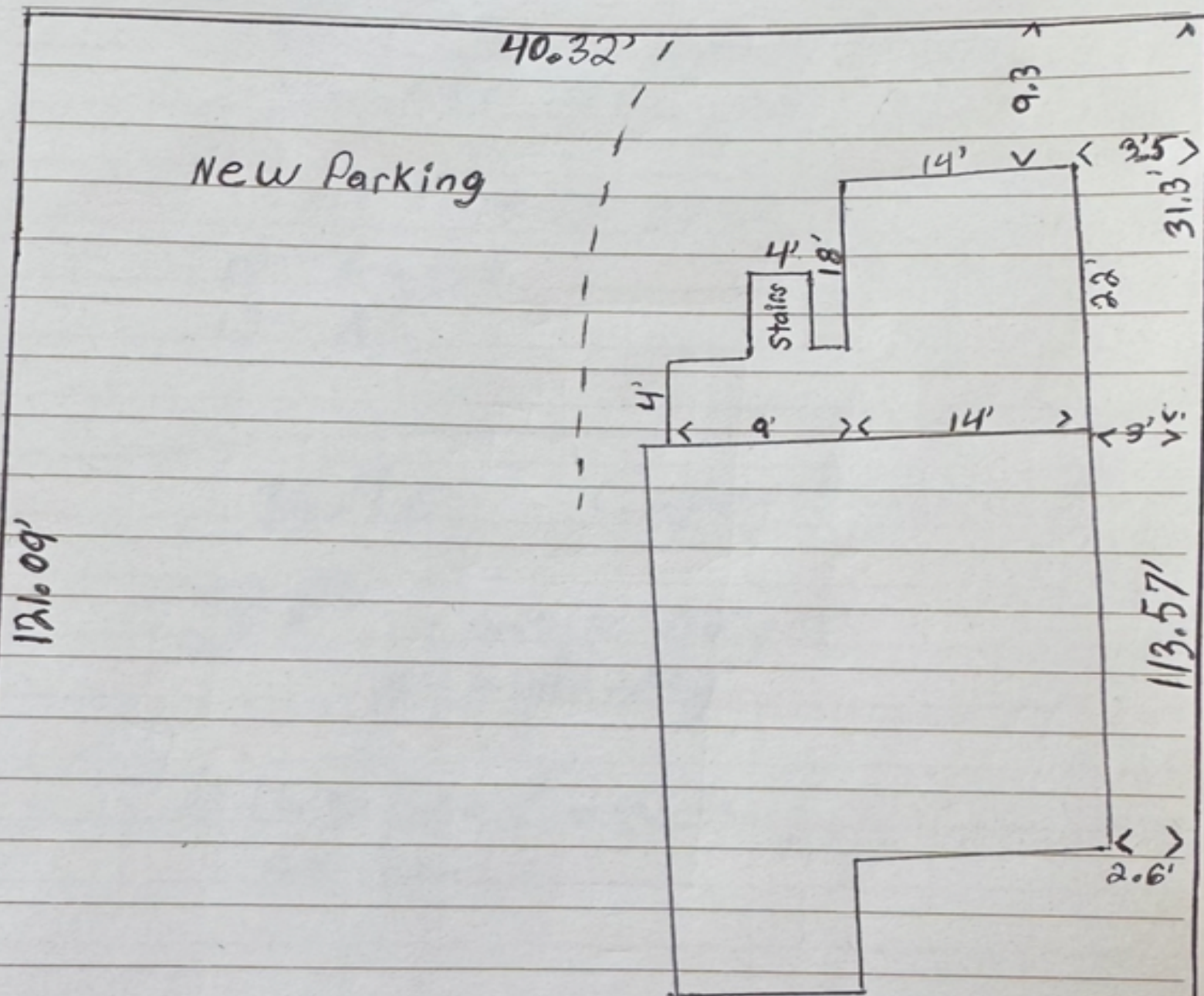
K.) Explain whether a literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Code.

Nearly every home (S Riverdale/S Island) have structures/deck great that the set back zone map. Only trying to enjoy the same benefits as other owner in neighborhood.

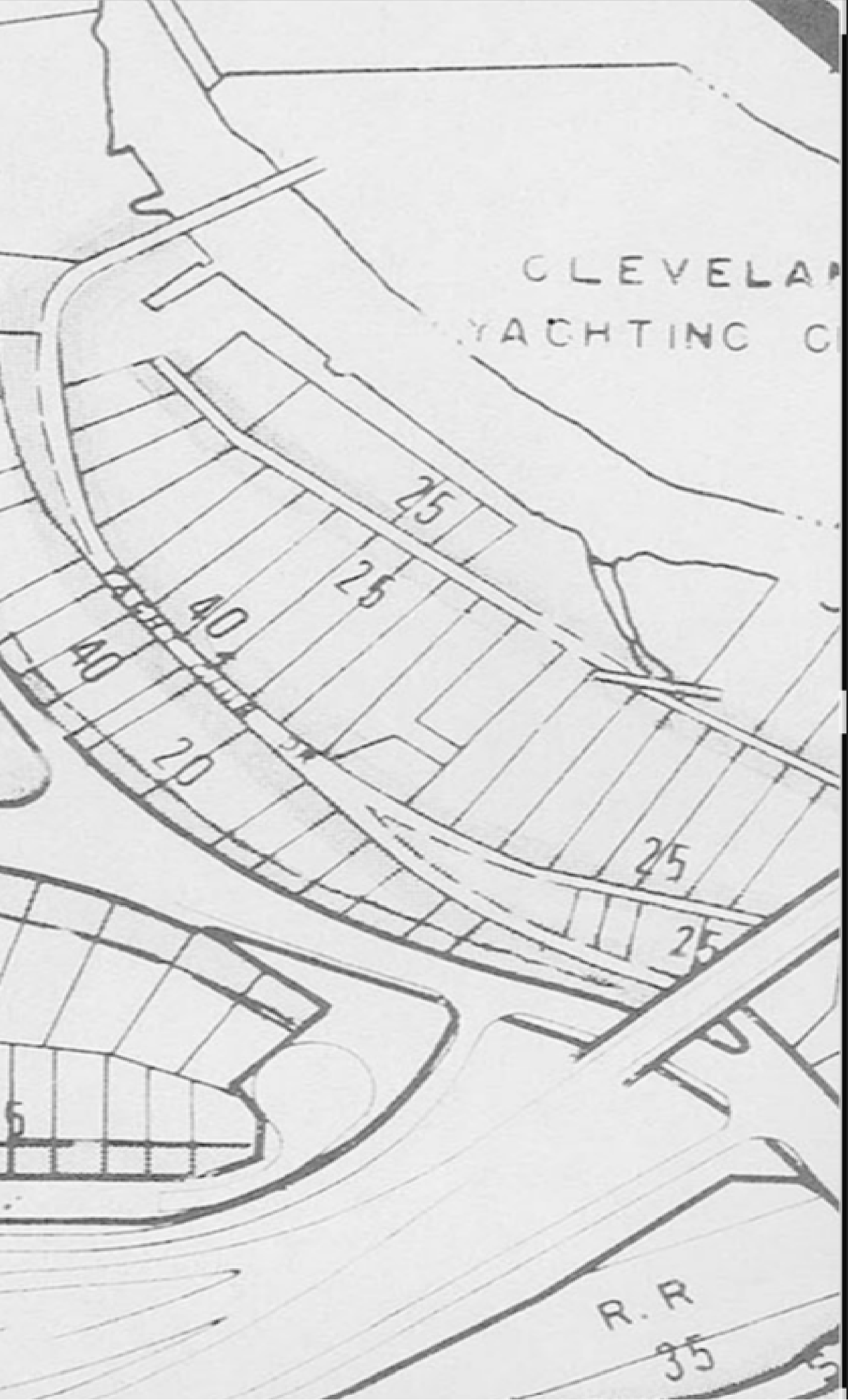
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**PLEASE NOTE: A separate Permit Application and fee will be due prior to issuance of the Building Permit. NO CONSTRUCTION IS TO BEGIN until the Building Permit has been issued.**

# S Island Drive



CLEVELAND  
YACHTING CLUB







www.exactaland.com | office: 866.735.1916 | fax: 866.744.2882



PROPERTY ADDRESS: 315 RIVERDALE DRIVE, ROCKY RIVER, OHIO 44116

SURVEY NUMBER: 2405.1416

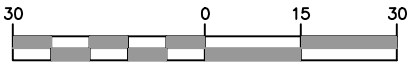
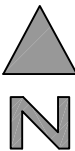
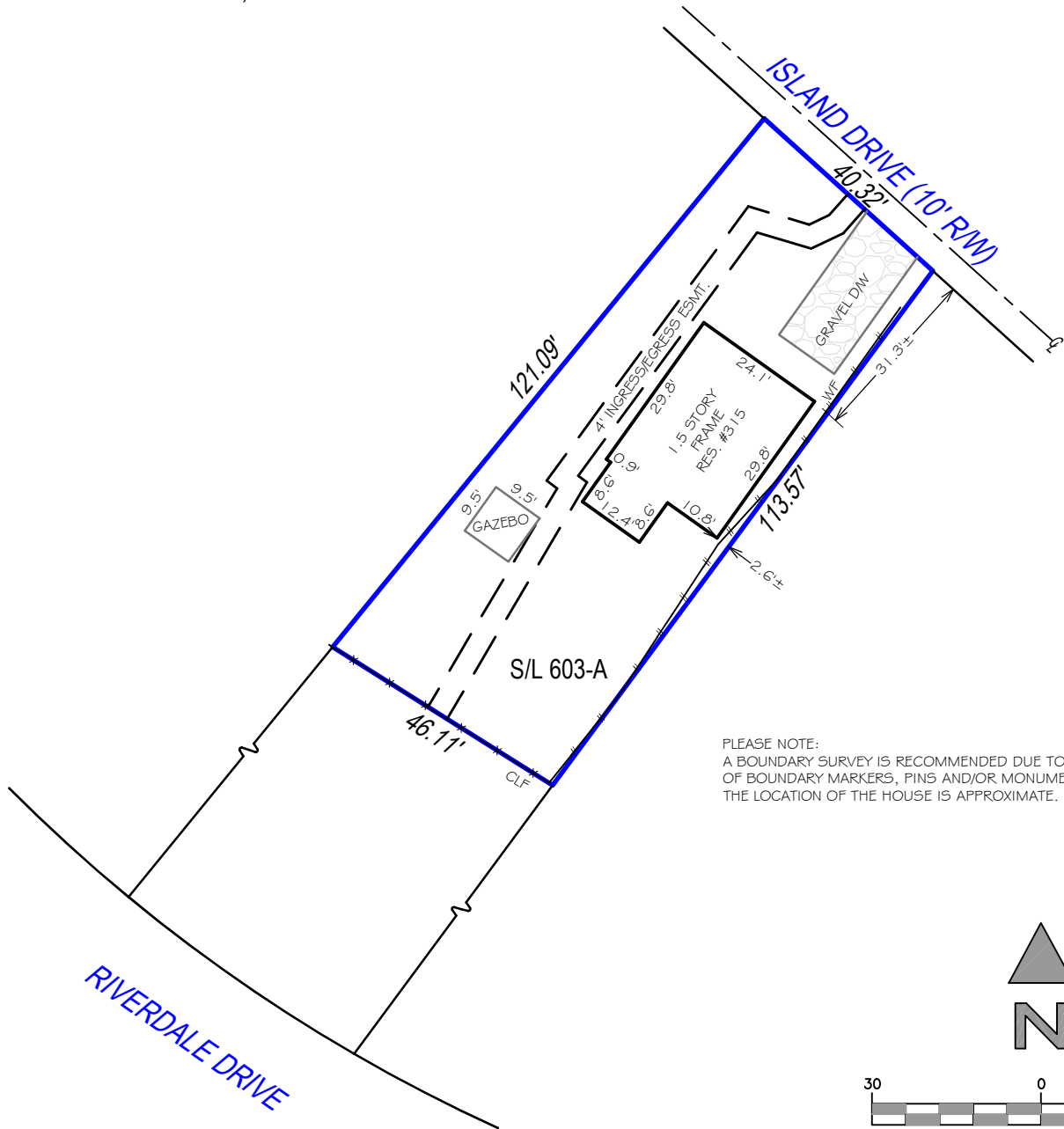
2405.1416  
MORTGAGE LOCATION SURVEY  
THIS IS NOT A BOUNDARY SURVEY  
CUYAHOGA COUNTY, OHIO

ACKNOWLEDGED & ACCEPTED

BY: \_\_\_\_\_

BY: \_\_\_\_\_

DATE



GRAPHIC SCALE (In Feet)  
1 inch = 30' ft.

POINTS OF INTEREST:  
**NONE VISIBLE**

CLIENT NUMBER: ELS-2024-1857

BUYER: TIMOTHY K. PALMER

SELLER: JONI J. MIHELICH, RICHARD A. MIHELICH

LOT: 603-A

BLOCK:

PLAT: 202209010135

PG:

SUBDIVISION: RICHARD A. MICHELIN LOT SPLIT PLAT

COUNTY: CUYAHOGA

CERTIFIED TO:

CROSSCOUNTRY MORTGAGE, LLC / INFINITY TITLE SOLUTIONS, LLC

THIS MORTGAGE LOCATION SURVEY IS PERFORMED IN ACCORDANCE WITH 4733-38 OF THE OHIO ADMINISTRATIVE CODE AND IS NOT A BOUNDARY SURVEY PURSUANT TO CHAPTER 4733-37 OF THE ADMINISTRATIVE CODE AND IS ONLY FOR THE USE OF THE MORTGAGE LENDER AND TITLE INSURER. DO NOT USE THIS MORTGAGE LOCATION SURVEY FOR FUTURE CONSTRUCTION OF FENCES, SHEDS, GARAGES, ADDITIONS OR ANY OTHER STRUCTURE(S). THIS DOCUMENT MAY NOT SHOW ALL EASEMENTS AFFECTING THE SUBJECT PROPERTY.



FIELD DATE: 5/10/2024

DATE SIGNED: 05/11/24

REVISION HISTORY: (REV.0 5/11/2024)



OHIO LAND TITLE  
ASSOCIATION

AFFILIATE  
MEMBER



1500 W 3rd St | MZ130  
Cleveland, OH 44113  
P: 216.751.9000  
F: 216.751.9510  
www.exactasurvey.com

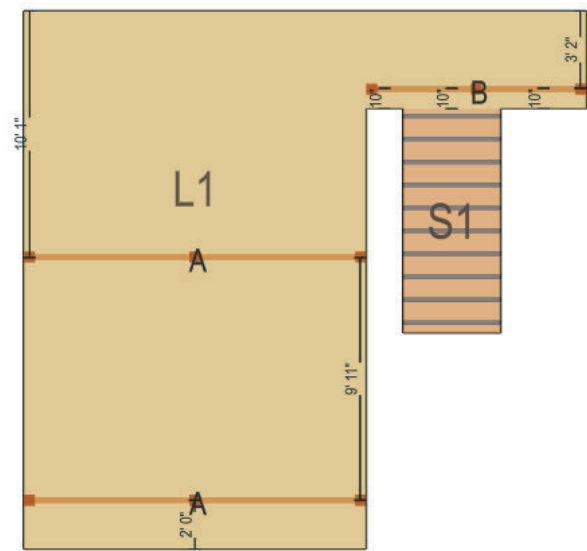


Date: 4/08/2025 - 11:42 AM  
Design ID: 335757501231  
Estimated Price: \$9,465.47

*\*Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*



L1 - Beams



2 boards nailed together is 2 ply

L1 - Lumber: 2 ply - 2 x 10 AC2

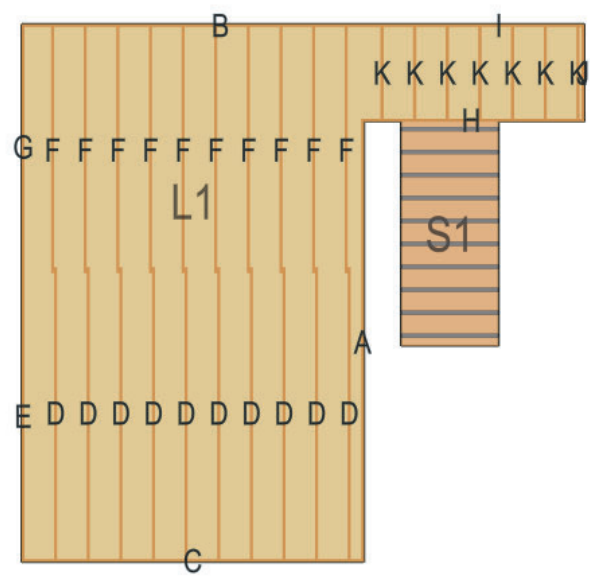
Label	Length	Count
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Date: 4/08/2025 - 11:42 AM  
Design ID: 335757501231  
Estimated Price: \$9,465.47

*\*Today's estimated price. Future pricing may go up or down. Tax, labor, and delivery not included.*



L1 - Joists



Lumber: 2 x 10 AC2  
Joist Spacing: 16" on center

Label	Length	Count	Usage
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