

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:

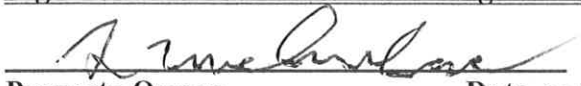

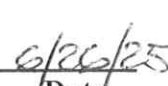
- 1) **Appropriate Building Permit Application** for your project. (i.e., Building Permit Application, Fence Permit Application, Accessory Permit Application, etc.); **Check representing Application Fee.**
- 2) **Fully completed Variance Application.** Begin with a written narrative describing exactly 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 6-25-25 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: _____
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: 1032 Elmwood Rd.

Susan Umberhour
Name of Property Owner

JOHN FAIR / JOHN FAIR ARCH CONSULT, LLC
Name of Applicant / Representative

1032 Elmwood Rd.
Address

31413 Drake Dr. / Bay Village, Ohio
Address

440.829.3400 same
Telephone No. Cell Phone No.

440.864.2580 same
Telephone No. Cell Phone No.

E-MAIL: _____

E-MAIL: _____

Description of what is intended to be done:

THE OWNER WANTS TO ADD A SMALL MUD RM / UTILITY TYPE
ROOM OFF THE BACK OF THE HOUSE. SHE ALSO WOULD LIKE TO ADD
A CARPORT STRUCTURE TO THE NORTH SIDE OF THE HOUSE TO COVER HIGH
Sections of the Code from which variance is being requested: CAR AND A PAVILION ON THE REAR
OF THE EXISTING HOUSE.

LOT COVERAGE, SECTION 1153.07

SIDEYARD SETBACK, SECTION 1153.15

List variances requested:

SECTION 1153.07 7.7% OVER ALLOWED COVERAGE 28% ALLOWED

SECTION 1153.15 79.4% OVER ALLOWED SETBACK 35.7% PROPOSED

[Signature]
Property Owner's Signature

[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 ☒

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 IS EXTREMELY SMALL IN REGARD TO NEW MINIMUM LOT COVERAGE. THE EXISTING GARAGE IS ALSO EXTREMELY CLOSE TO THE LOT LINE ON THE NORTH.

- 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 OWNER WANTS A MUD ROOM, PAVILION AND A COVERED PARKING AREA FOR HER CAR. SHE MAY CONSIDER MOVING IF THE HOUSE DOESN'T MEET HER NEEDS.

- 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).

I BELIEVE THE LOT COVERAGE VARIANCE IS MINIMAL, ESPECIALLY THE FACT THAT THE CARPORT AND THE PAVILION ARE "OPEN" STRUCTURE.

- 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).

WE BELIEVE THAT THE ADDITION WOULD ENHANCE THE HOUSE & NEIGHBORHOOD.

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.

NO

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

THE OWNER IS CONCERNED ABOUT SLIPPING ON ICE ON HER DRIVEWAY, THUS THE CARPORT

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).

NOT THAT WE KNOW OF

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).

BECAUSE THE CARPORT AND PAVILION ARE OPEN, WE BELIEVE THE STRUCTURES WILL NOT BE A VISUAL IMPEDIMENT

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.

DUE TO THE SMALL LOT, AND OPEN NATURE OF THE NEW STRUCTURES THAT THE SPIRIT OF THE CODE WILL NOT BE BROKEN

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.

WE BELIEVE A LITERAL INTERPRETATION OF THE CODE WOULD NOT BE FAIR TO THE HOME OWNER.

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.