

ROCKY RIVER BOARD OF ZONING & BUILDING APPEALS

INSTRUCTIONS TO APPLICANTS

MEETINGS: 2nd Thursday of each month at 7:00 P.M. – Council Chambers, First Floor of 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.

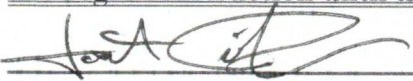
SUBMISSION REQUIREMENTS: Please provide 10 sets of the following:

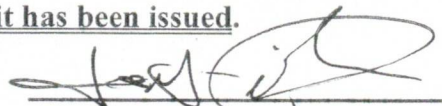
- 1) **Appropriate Building Permit Application** for your project. (i.e., Building Permit Application, Fence Permit Application, Accessory Permit Application, etc.)
- 2) **This fully completed Variance Application**, which includes a written explanation of the project. Please refer to the Typical Variance 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**, showing all existing structures on the subject property, as well as structures on affected neighboring properties. Dimensions of all existing structures (length, width and height, where appropriate). All proposed structures/improvements must also be shown on the site drawing, with dimensions and distances from property lines clearly labeled. **IMPORTANT: Mark the corners of additions, a/c condensers or whatever applies to your variance.**
- 4) **Elevation drawings** (for pergola, garage, addition or exterior alteration).
- 5) **Photographs** of your property with the structure you are asking for a variance for clearly staked. Also submit photos of affected adjacent properties. Submit a photo example of proposed fences and storage sheds.
- 6) **Support letters** from surrounding property owners, if available.
- 7) **PLEASE NOTE THAT THE GRANTING OF A VARIANCE IS NOT A BUILDING PERMIT. PLEASE CHECK WITH THE BUILDING DEPARTMENT TO BE SURE YOU HAVE YOUR PERMIT AND CAN START CONSTRUCTION.**
- 8) Email your entire submission to kstraub@rrcity.com. When she reviews it and gives you the OK, provide 10 stapled sets of the entire submission.

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.

 6/27/25
Property Owner Date

 6/27/25
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: 6/30/2025
Zoning of Property Sublot No. 148

Hearing Date: 7/10/25
Permanent Parcel No. 301-08-018

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

Address of property seeking variance: 19418 Argyle Oval, Rocky River, OH 44116

Josh and Holly Gibson
Name of Property Owner

Josh and Holly Gibson
Name of Applicant / Representative

19418 Argyle Oval, Rocky River, OH
Address

"
Address

541-505-2491 "
Telephone No. Cell Phone No.

215-356-7870 "
Telephone No. Cell Phone No.

E-MAIL: jegibson@cleguardians.com

E-MAIL: holly.gibson@uhhospitals.org

Description of what is intended to be done:

We intend to pave our gravel driveway with concrete. In doing so, we would like to get closer than the permitted 36 inches to the property line in certain places in order to widen the driveway in the area closest to the street and to maintain the integrity of the current driveway line as the driveway gets closer to the garage (as indicated by the images we've submitted)

Sections of the Code from which variance is being requested:

Schedule: 1153.15

List variances requested:

We are proposing that we expand the footprint of the driveway in the area between the street and our front steps, which would take it within 6 inches of our property line in certain places instead of the permitted 36 inches. Then, we are asking that we pave right up to our property line as we get closer to the garage to preserve the existing driveway width that is not in compliance with code, which ensures there is adequate space for cars to utilize the entire driveway and have access to the garage.


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 checked="" 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 type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Front Yard (in setback) 	<input type="checkbox"/>	(Area) Practical Difficulties
ACCESSORY BUILDINGS (Play Structures, Storage Sheds: <i>(Complete Accessory Structure Permit Application)</i> ; Detached Garages: <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 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

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 current gravel driveway encroaches on our neighbor's property by a few inches in certain places

- 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).

We believe that paving the driveway along the current driveway line, and then expanding as you get closer to the street will make our property look much more aesthetically pleasing. It will also improve the area of transition between our property and our neighbor's property by making it easier to maintain.

- 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 requested does not seem substantial and seems like the most reasonable use of land given the options. The requested variance would permit us to pave within 6 inches of the property line in certain places instead of the 36 inches permitted by code. It would also allow us to pave right up to our property line instead of the permitted 36 inches in order to maintain the current driveway footprint.

- 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 the proposed change would only serve to increase the value of our property and the adjoining property, as currently, the line that separates our properties is not well maintained due to gravel and weeds. We believe this will look much more aesthetically pleasing for all parties involved.

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

It would not.

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

No. We did not realize the zoning restrictions until getting a survey in preparation for paving our driveway

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).

It is our understanding that in order to pave the driveway as proposed, a variance would be required. The only other option we can think of would be to avoid getting within the permitted 36 inches, which would cause our driveway to be too narrow at parts and would not be in the best interest of any involved party as it relates to aesthetics or functionality.

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).

As mentioned previously, we believe that the proposed change would benefit the neighborhood. We have young kids who are constantly playing in our yard with other young kids in the neighborhood, so having a paved driveway makes it safer and allows for more activities. The paved driveway also makes our house, and the transition between our house and the neighbor's house more aesthetically pleasing and easier to maintain.

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.

N/A

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.

Our intention is to pave along the same driveway line on the lefthand side of the current driveway. On the righthand side, we'd like to start paving 36 inches from the stake

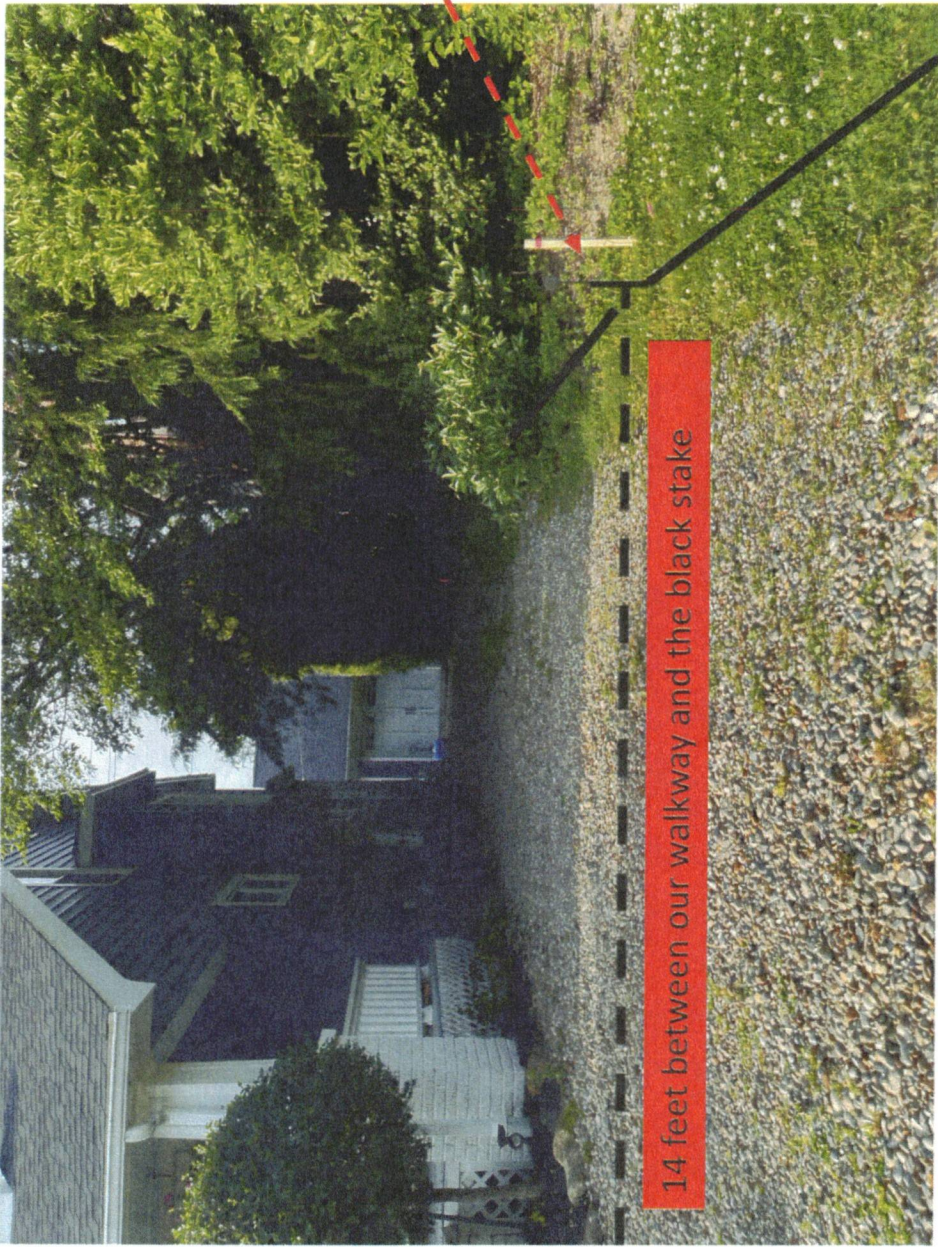


The space between the walkway on the left and the right stake is 14 feet

The newly proposed driveway line would come within six inches of the second stake

It's a bit hard to see but there is a metal stake in the ground below the black line that's 36 inches from the stake

This piece is 13 feet 6 inches across



6 inches
between the
stake and the
black line

14 feet between our walkway and the black stake

We plan to remove the beds on the left side of the house and pave up to the house, preserving the metal cutouts that frame the basement windows and vents



We would like to pave along the current driveway line consistent with the placement of the stake

Continue along the driveway line to the garage

SURVEY

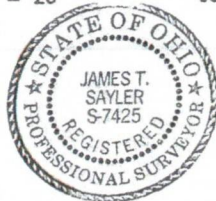
OF
SUBLOT NO. 148
P.P.N. 301-08-018
#19418 ARGYLE OVAL
IN THE

MATHEWS GILBERT'S SUBDIVISION NO. 6
RECORDED IN VOL. 37, PGS. 20 THRU 23
PART OF

ORIGINAL ROCKPORT
TOWNSHIP SECTION NO. 24
NOW IN
THE CITY OF ROCKY RIVER
CUYAHOGA COUNTY, OHIO
FOR
JOSH & HOLLY GIBSON

BY THE HENRY G. REITZ ENGINEERING CO.
4214 ROCKY RIVER DR., CLEVELAND, OH 44135
PH: 216-251-3033, EMAIL: REITZ@REITZENG.COM

PRES.
JAMES T. SAYLER, REG. SURVEYOR NO. S-7425
SCALE 1" = 20' JUNE, 2025



LEGEND:

- DENOTES 5/8" CAPPED (REITZ) IRON PIN SET.
- DENOTES IRON PIN FOUND.



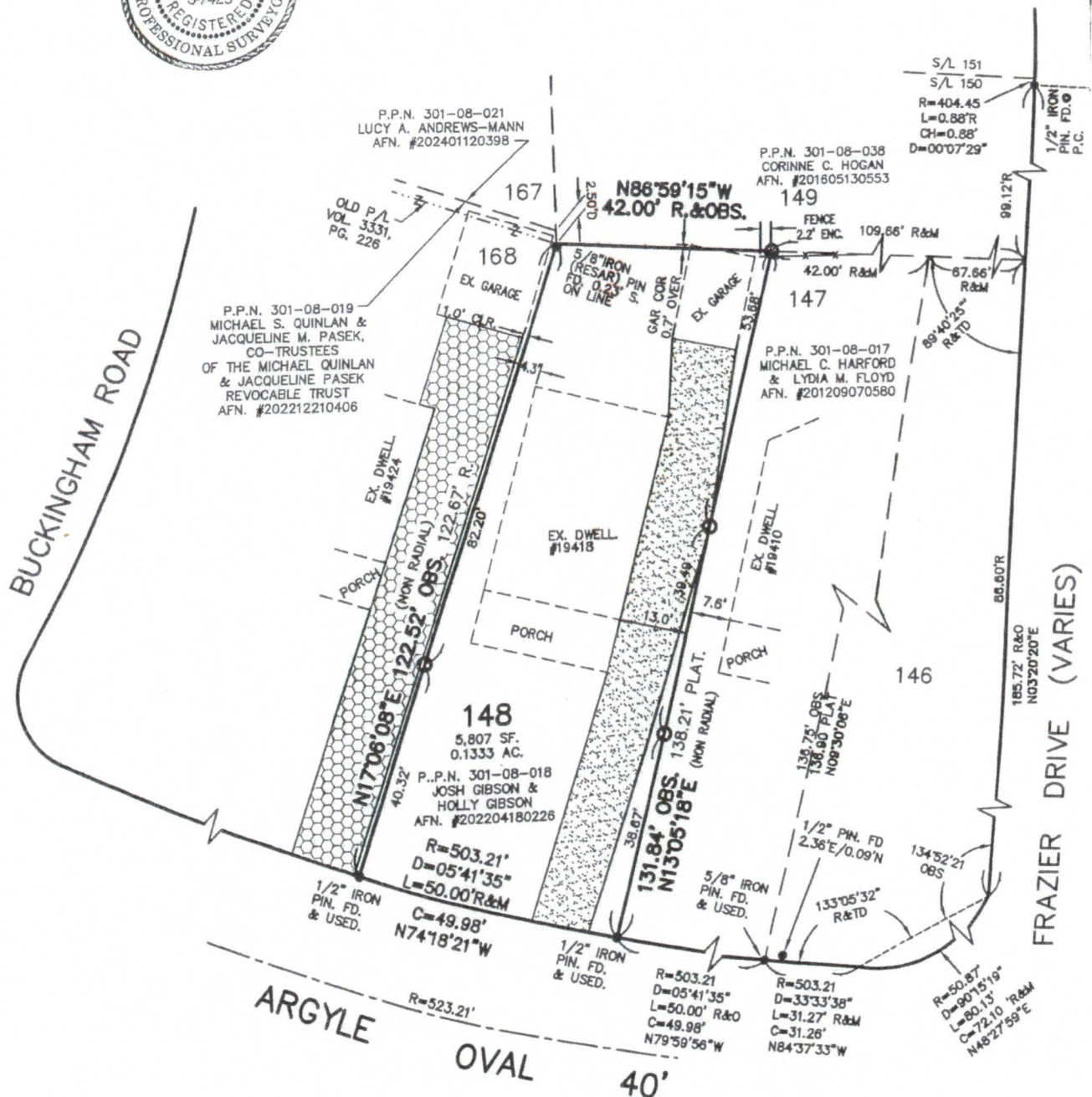
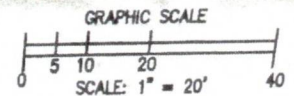
DENOTES EXISTING GRAVEL DRIVE



DENOTES EXISTING CONCRETE DRIVE



DENOTES EXISTING WOOD FENCE



Proposal



CAMPEA and SONS CONSTRUCTION INC.

14910 York Road, North Royalton, Ohio 44133
440-237-0700 or 330-225-5114; Fax 330-225-5114

www.campeaandsons.com



PROPOSAL SUBMITTED TO

Josh & Holly Gibson

PHONE

541-505-2491

DATE

3-4-2025

STREET

19418 Argyle Oval

JOB NAME

CITY, STATE AND ZIP CODE

Rocky River, OH

JOB LOCATION

Concrete Procedure: Tear out specified areas & dispose, set forms, #12 wire mesh, stone base (compacted), required isolation joints & contraction joints. **Concrete Finishes:**

☒ Broom ☒ Float ☐ Stamp ☐ Steel Trowel,
5" sack concrete mix, 4" concrete thickness (apron and service walk 6"), spray a coat of curing compound or cure and seal. Pitch concrete to maintain positive runoff. If flow cannot be maintained sewer drain will be specified.

☒ Driveway ☒ Apron ☒ Sidewalk ☒ Drain
☐ Garage Floor ☐ Patio ☐ Parking Lot

Please Note: Snow and ice, along with deicing chemicals collect in fender of autos and drip onto concrete when autos are parked. Avoid exposing exterior concrete to deicers, park autos into heated garages. Snow should be removed by sweeping and shoveling. Avoid grass fertilizers near new concrete, it may cause discoloration. Please wait 24 hours before walking and 10 days for vehicle traffic. For extra protection, after 30 day of pour, please apply a coat of sealer, two options, membrane sealers or penetrating sealers. Pressure wash concrete and make sure it is completely dry before applying sealer, wait 24 hrs. before traffic; check weather, need at least three dry days to complete process.

Basement Waterproofing Procedure: Lineal Footage

☐ North ☐ South ☐ East ☐ West

Excavate foundation deep enough to expose footer, support earth to prevent caving, pressure wash wall to ensure a sound bond for materials that will be applied, cut foundation cracks and seal with hydraulic cement for better bonding, apply a coat of rubberized tar emulsion, install 4" heavy duty perforated PVC pipe along footer with 2" of stone underneath pipe, install new down spout, install

Clean Out, flush footer drain, flush down spout, backfill with wash river stone or lime stone to one foot of grade, top stone with filter membrane material. 12" to 18" will to topped with soil. Waterproofing guarantee _____ years, providing footer drain pipes, and downspouts are maintained and the sewer line must be open and functional.

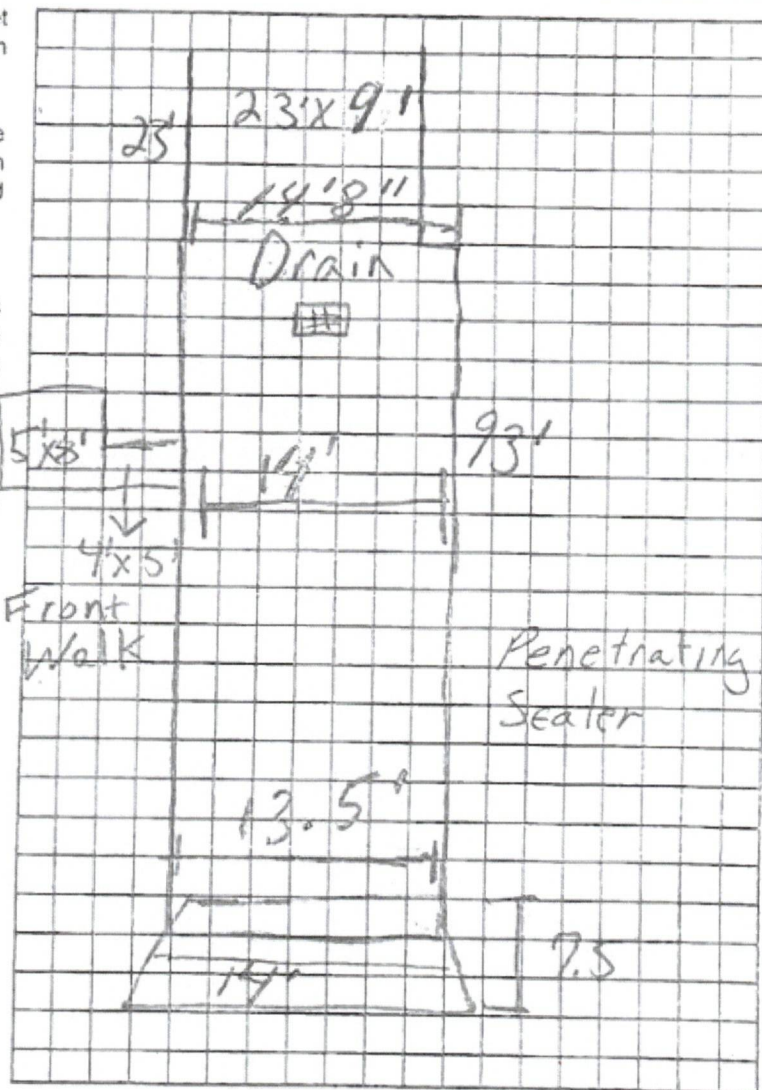
Foundation Repair: Straighten wall and reinforce with _____ rebar/concrete _____ posts/beams or _____ rebuild wall.

We propose hereby to furnish material and labor - complete in accordance with above specifications for the sum of:

Eighteen thousand and 00/100 dollars (\$18,000.00)

Payment to be made as follows \$300 Deposit Balance on Completion of Job

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only open written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance. No guarantee against surface imperfections, spalling, pop outs or cracking due to sever weather, freeze-thaw cycles, fertilizers, deicers, road salts, excessive weight or any other means, also not responsible for reseeding any disturbed areas, or for damage to under ground wires that are not to code depth.



Authorized Signature Aldo Campea

Note: This proposal may be withdrawn by us if not accepted within _____ days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified.

Date of acceptance: _____

Signature: _____