

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.

	<u>7/23/2025</u>	_____	_____
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: _____
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: 20201 Westhaven Lane

Ryan Carney
Name of Property Owner

Name of Applicant / Representative

20201 Westhaven Lane
Address

Address

173-519-0029
Telephone No. Cell Phone No.

Telephone No. Cell Phone No.

E-MAIL: ryanscottcarney@yahoo.com

E-MAIL: _____

Description of what is intended to be done:

Construct a 17' x 27' outdoor pavilion in backyard

Sections of the Code from which variance is being requested:

1153.15(g)(3)

List variances requested:

I am requesting a variance for a 459 ft² pavilion, vs. the
Code maximum of 250 ft².


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 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); Detached Garages:</i> <i>(Complete Building Permit Application)</i> <u>Note:</u> <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"> 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 checked="" 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

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).

Our backyard measure, 60' x 140', which is much larger than most yards in the city. We would like the additional pavilion space to be able to eat ~~and~~ comfortably, and the additional square footage represents a very small percentage of the total square footage of the yard.

- 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).

Without the extra space, the pavilion would be too cramped to fit a sofa and a dining table, in addition to the kitchen components and fireplace.

- 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 extra space is the minimum necessary to fit all components. The variance is not substantial considering the 60' x 140' back yard.

- 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 variance would not alter the character of the neighborhood and the neighbors would not suffer. The pavilion will extend approximately as far south as the neighbor's family room. The pavilion will increase the functionality of our outdoor space and the value of our property.

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.

We were not aware of these restrictions, and did not contemplate this, when we moved here in 2010.

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

None

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

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).

We believe the variance request is reasonable and the new structure will fit well within our large back yard.

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

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 know of one similar structure that was built recently near us that exceeded the square footage and height restrictions in the Code.

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.

Rocky River Variance Application – Narrative

20201 Westhaven Lane

Rocky River, OH 44116

Project Description

I am requesting a variance for a part of an outdoor project in my backyard. The property location is:

20201 Westhaven Lane

Rocky River, OH 44116

I have received approval from the city to construct an outdoor pavilion with a kitchen. This involves:

- Demolition of existing stamped concrete
- Allowing for utilities from the house to the pavilion area
 - Plumbing: for kitchen sink
 - Natural gas: for grill, kitchen burner, starter for fireplace
 - Electric: for refrigerator, lighting, television, outlets for general use
- Pouring of new stamped concrete
- Kitchen
- Pavilion
- Fireplace

Pavilion Variance

I have attached drawings from Fisher's Outdoor Structures for the pavilion. It will be a Douglas Fir pavilion with a gabled roof. The highest point of the gabled roof will be no higher than 12'.

The original approval was for a 14'x18' pavilion. I am requesting a variance to increase the pavilion to 17'x27'. The variance will allow sufficient room for a dining table and furniture, in addition to the kitchen components, to fit under the pavilion.

The 17'x27' pavilion requires a variance because under Code Section 1153.15(g)(3) the maximum size of an accessory structure is 250 ft². With the variance, my pavilion would be 459 ft².

I am happy to provide any additional information you need.

Thanks,

Ryan Carney

773.519.0027

ryanscottcarney@yahoo.com

Westhaven Ln

Westhav

20227

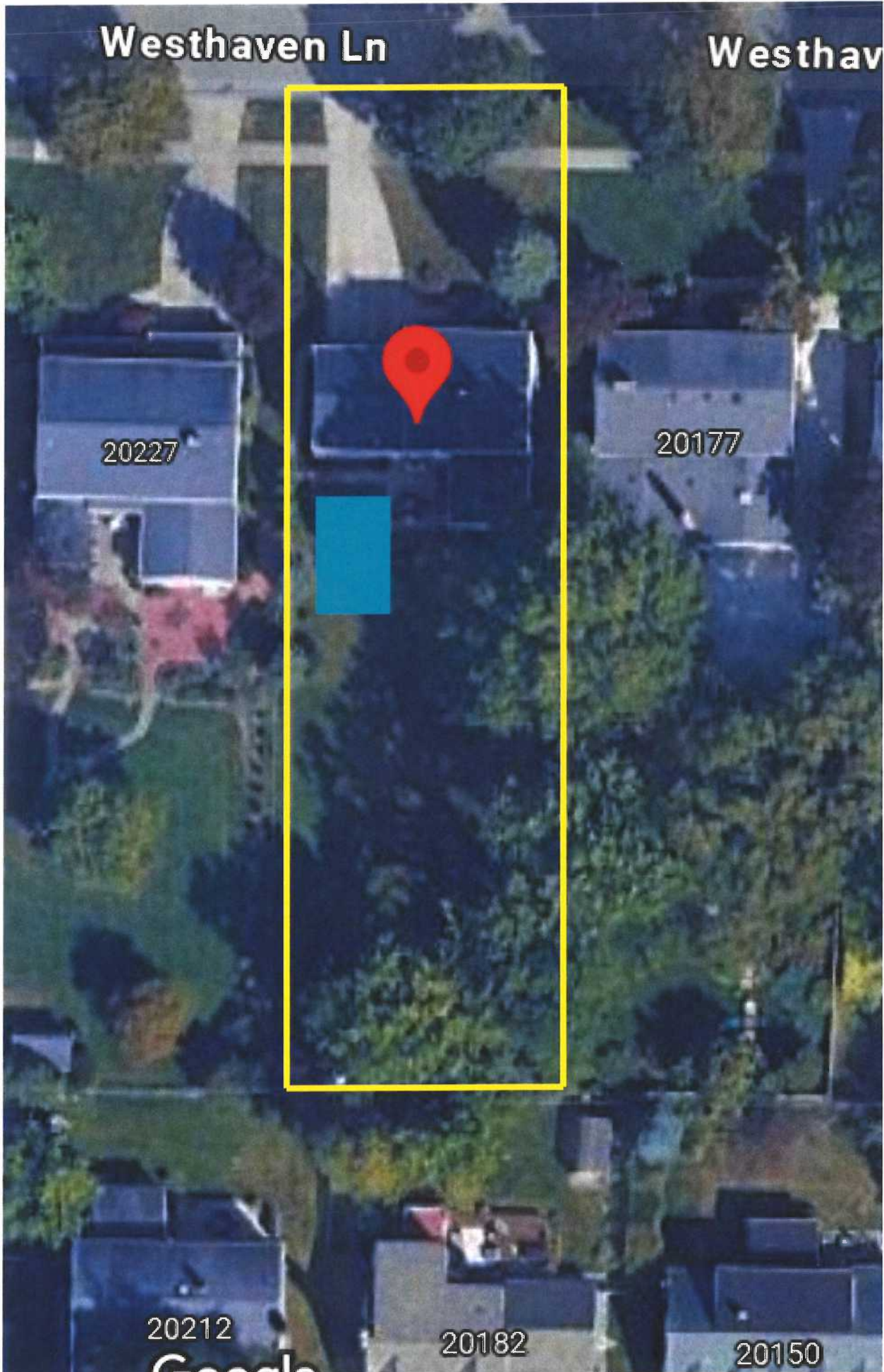
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20212

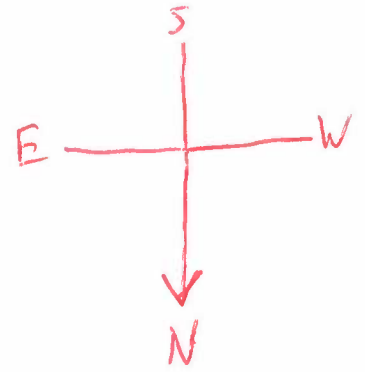
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Google



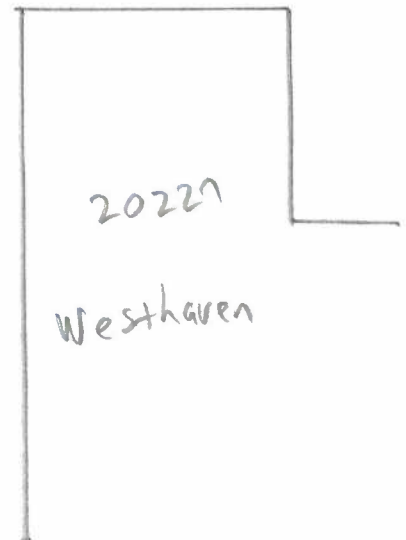
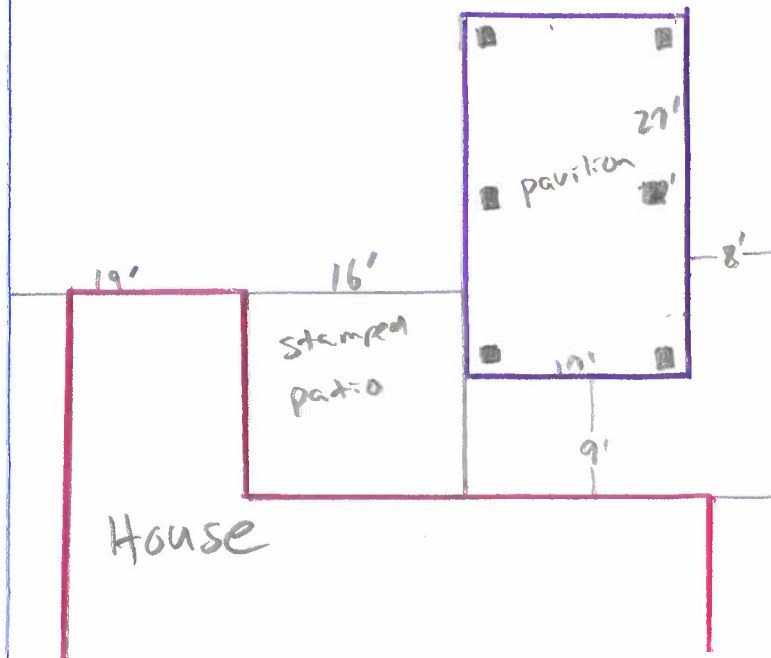
20182 Mercedes

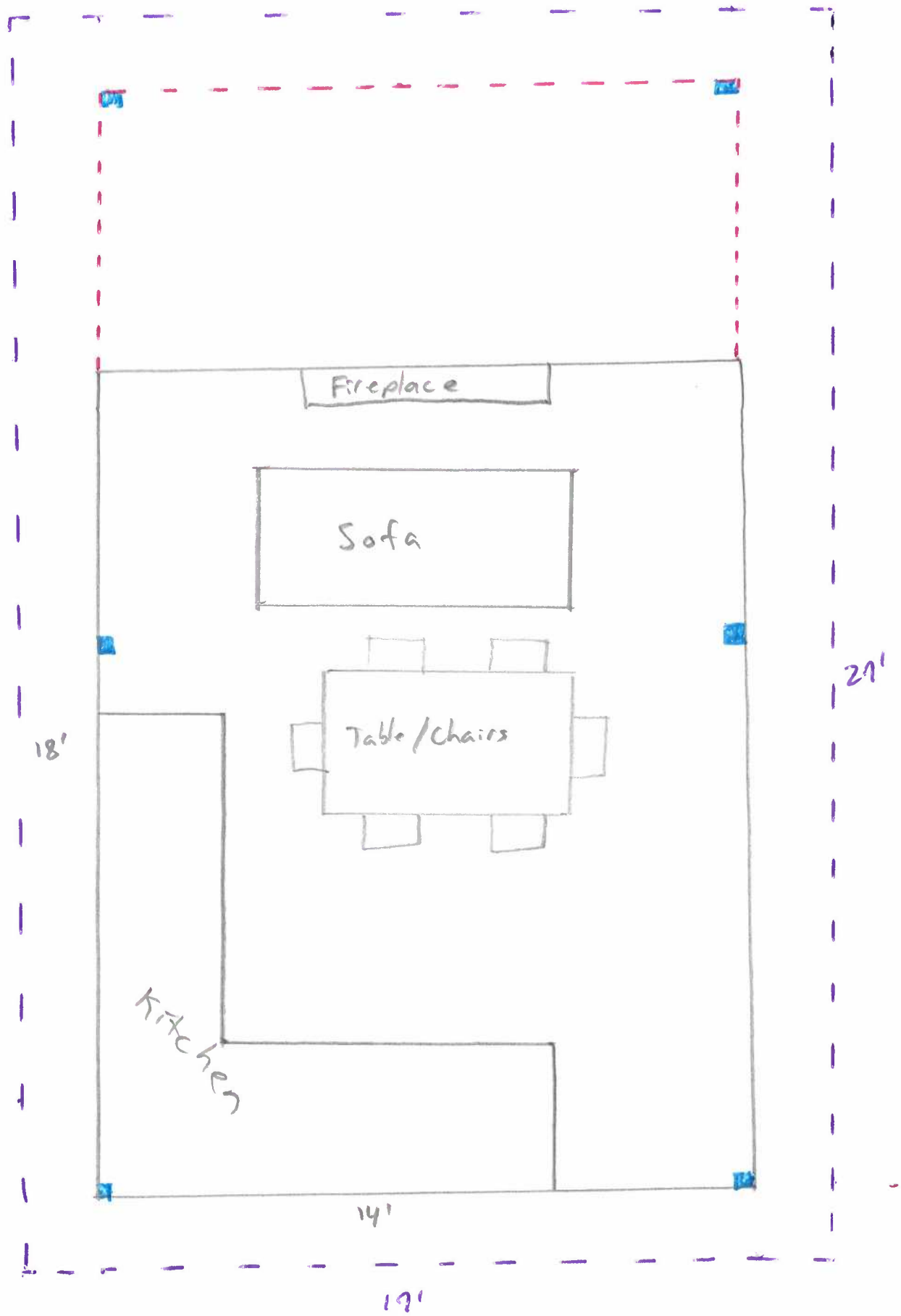


60'

140'

20177
Westhaven









This view looks Southwest. The neighboring property at 20227 Westhaven is visible on the right hand side.

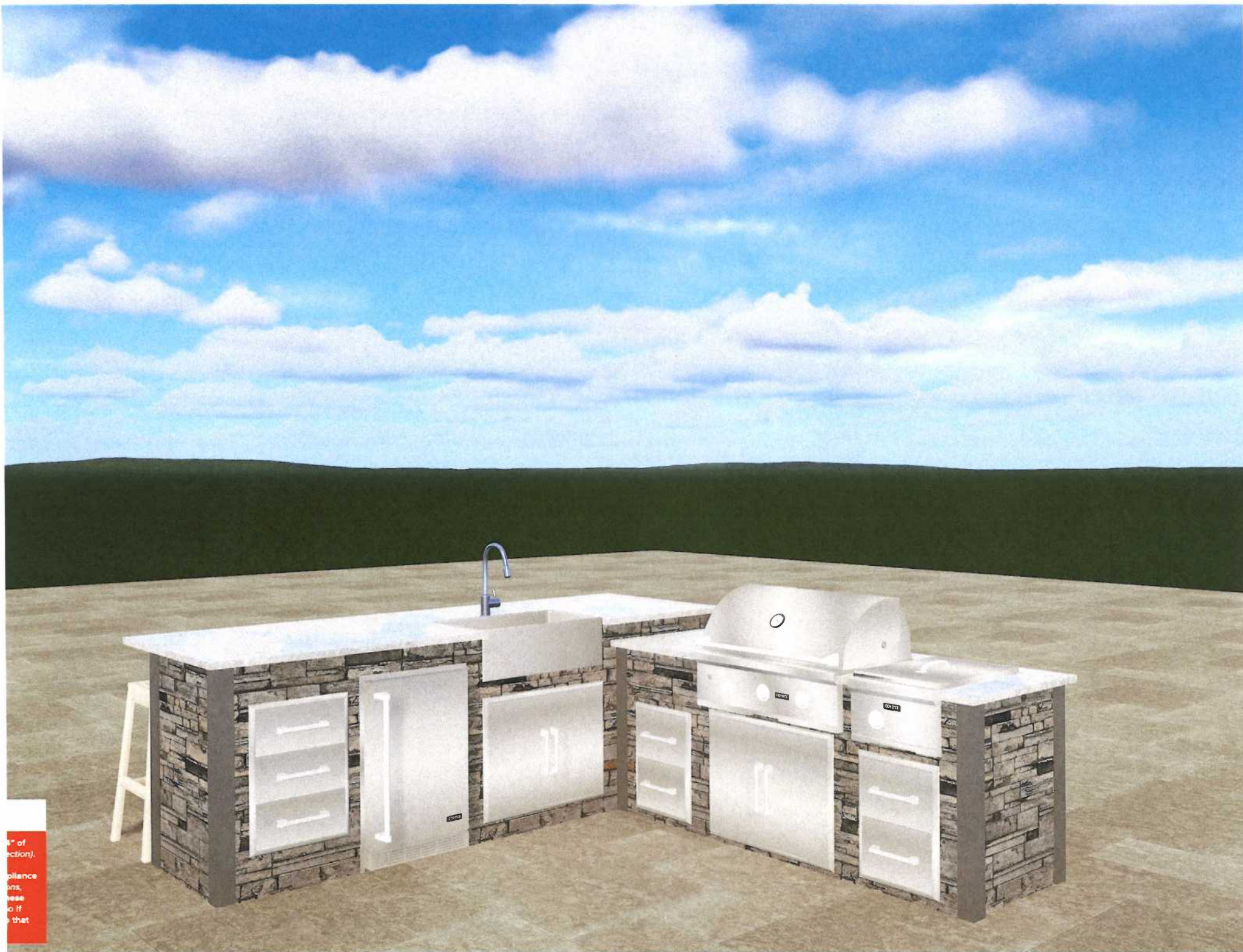




This view is looking West, with 20227 Westhaven in view.

White outline indicates location of pavilion





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Rocky River Variance Application – Narrative

20201 Westhaven Lane

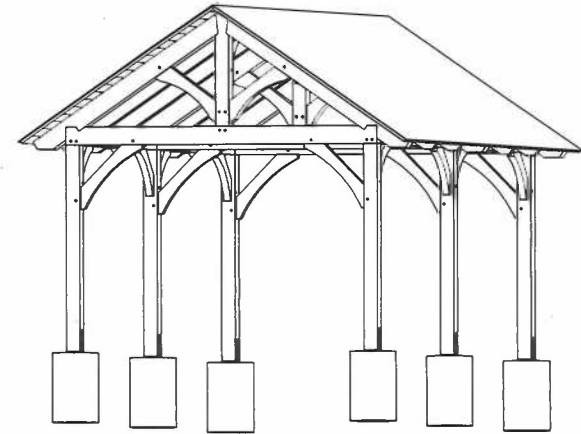
Rocky River, OH 44116

Summary of Discussions with Neighbors

I discussed the pavilion plans with the three neighbors closest to the backyard:

- 20227 Westhaven (West of us)
- 20177 Westhaven (East of us)
- 20182 Mercedes (South of us)

All of the neighbors were supportive of our variance request. The owner at 20227 Westhaven noted that they had go through a similar process many years ago when they expanded their family room. Our pavilion will extend only about 3 feet further South than their family room.



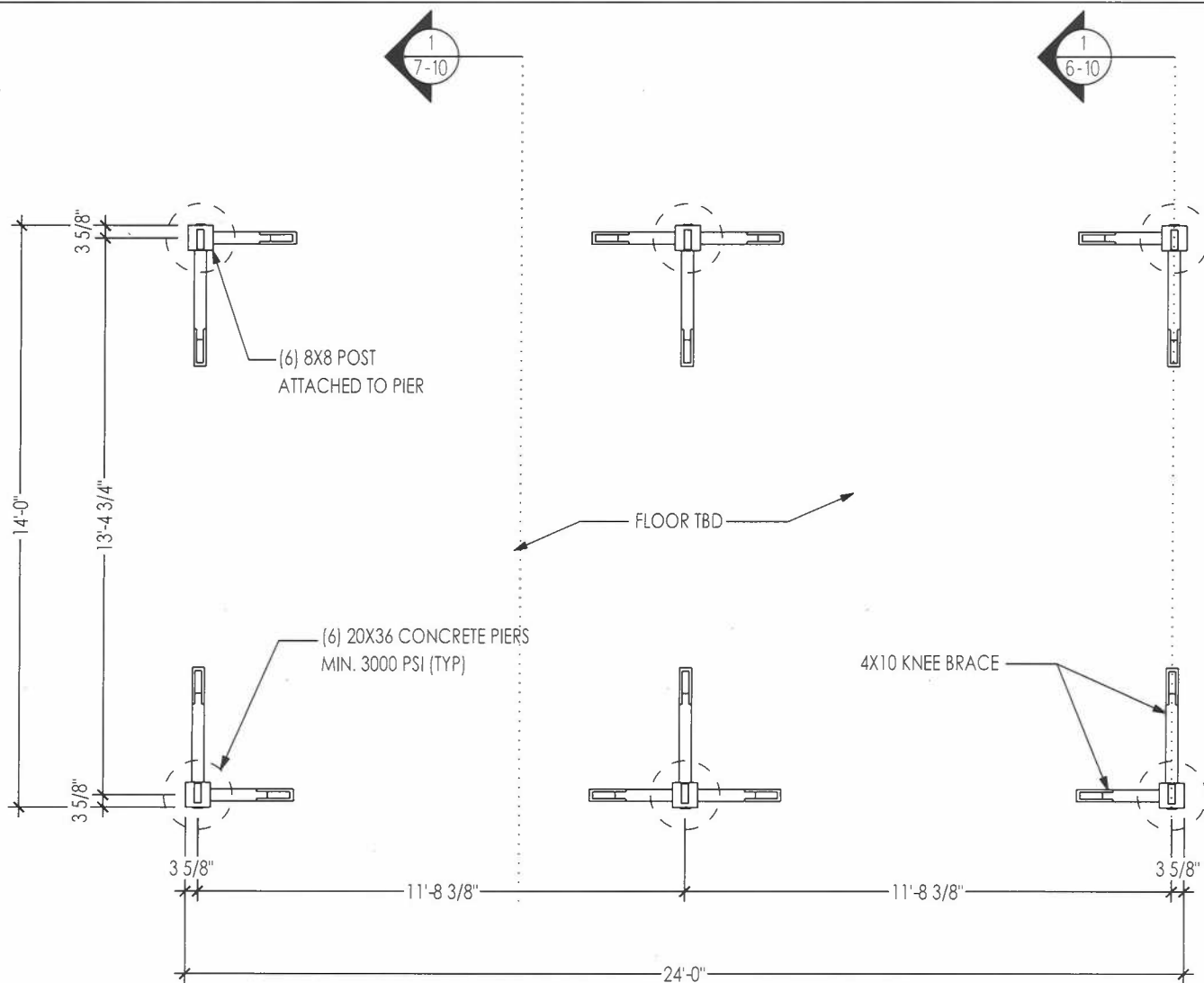
View: 3D-VIEW
Scale: NONE

GENERAL NOTES: 14x24 Kingston Timber Frame Pavilion

1. ALL TIMBERS ARE DESIGNED IN ACCORDANCE WITH THE 2018 EDITION OF THE NDS USING ALLOWABLE STRESS METHOD.
2. USE #1 DOUGLAS FIR (S4S) FOR ALL PRIMARY FRAME MEMBERS.
3. PROVIDE TRADITIONAL MORTISE AND TENON JOINERY USING 1" DIAMETER PEGS TO CONNECT ALL FRAME MEMBERS UNLESS NOTED OTHERWISE.
4. TIMBER SCREWS TO BE 3/8" GRK RUGGED STRUCTURAL SCREW OR 3/8" U2 CONSTRUCTION SCREW
5. BUILDER MUST VERIFY ALL DIMENSIONS AND ACCURACY BEFORE CONSTRUCTION.
6. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED MEASUREMENTS.
7. ANY WOOD IN CONTACT WITH CONCRETE SHALL BE PRESSURE TREATED WOOD,
8. FOUNDATION & SITE PLAN BY OTHERS.

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Architect: Designer: Elmer Lee Glick Drafted & Manufactured by:	Contractor:	Project no.: 1424 - KTP	Project Name: 14x24 Kingston Timber Frame Pavilion
<div data-bbox="172 1414 336 1455" data-label="Text"> <p>PEQUEA</p> </div> <div data-bbox="161 1469 344 1500" data-label="Text"> <p>www.pequea.net</p> </div>	<div data-bbox="368 1450 455 1471" data-label="Text"> <p>Engineer:</p> </div> <div data-bbox="661 1450 751 1520" data-label="Text"> <p>Revised: Revised: Revised:</p> </div>	<div data-bbox="880 1377 1034 1438" data-label="Text"> <p>Date: 09.24.2024</p> </div> <div data-bbox="880 1450 1034 1520" data-label="Text"> <p>Page: 1 OF 10</p> </div>	<div data-bbox="1044 1377 1140 1399" data-label="Text"> <p>Customer:</p> </div>



View: Foundation & Post Layout
Scale: 1/4" = 1'-0"

Architect:

Designer: Elmer Lee Glick

Drafted & Manufactured by:

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Contractor:

Project no.:

1424 - KTP

Date:

09.24.2024

Page:

2 OF 10

Project Name:

14x24 Kingston Timber Frame Pavilion

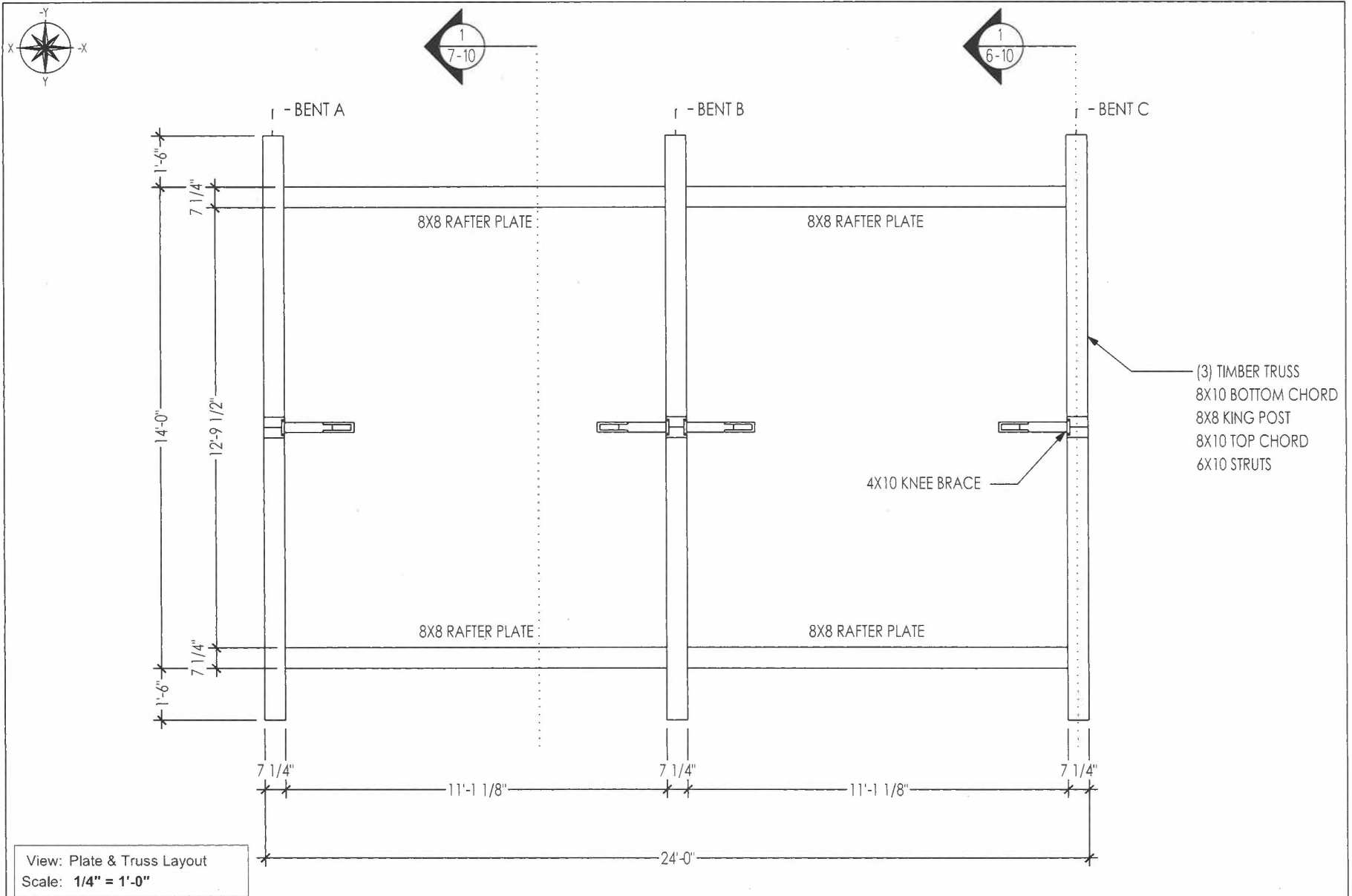
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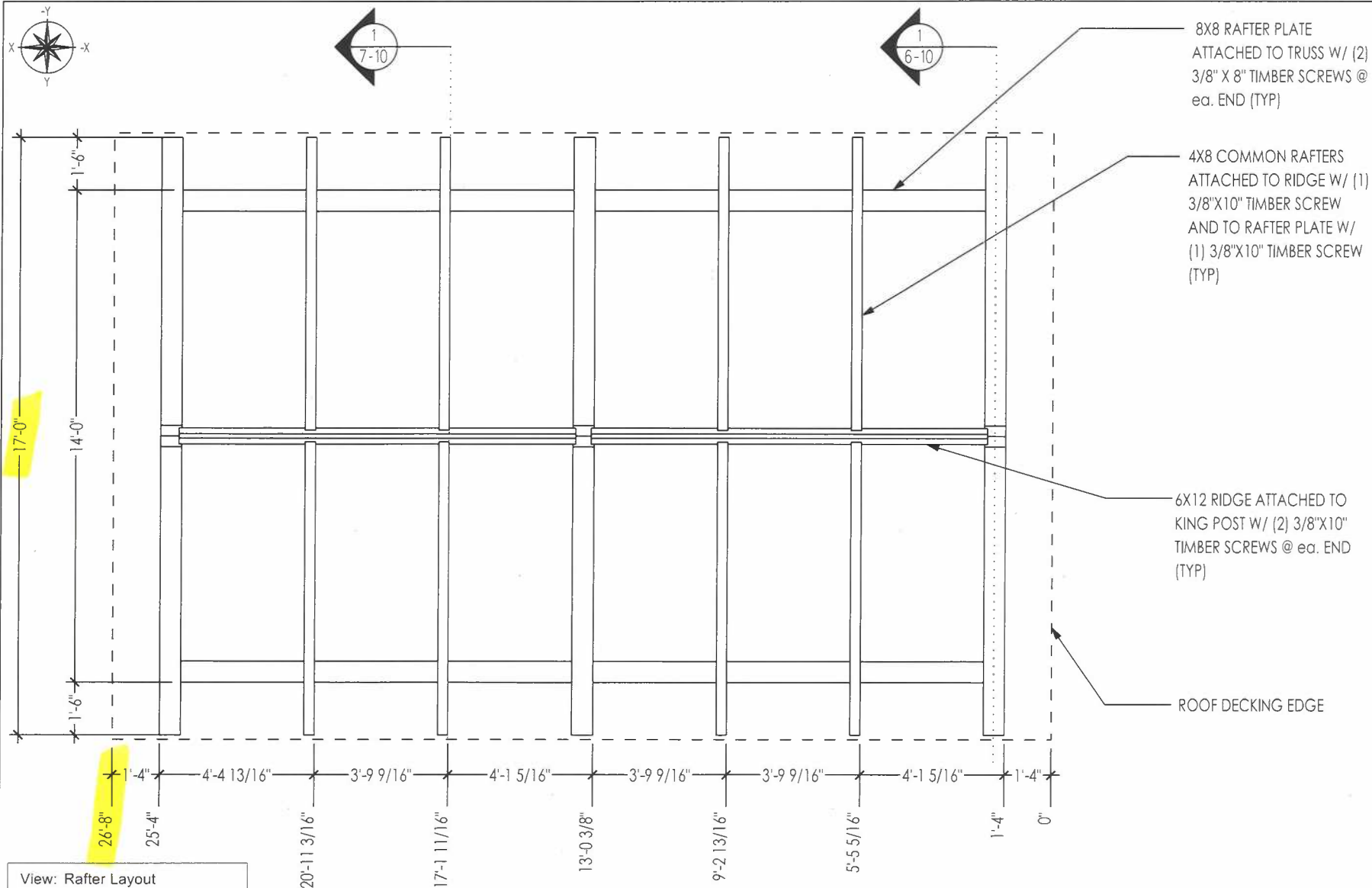
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Architect:	Contractor:	Project no.:	Project Name:
Designer: Elmer Lee GLick		1424 - KTP	14x24 Kingston Timber Frame Pavilion
Drafted & Manufactured by:		Date:	Customer:
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		Revised:	



Architect:

Designer: Elmer Lee Glick

Drafted & Manufactured by:

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Contractor:

Engineer:

Revised:
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Project no.:

1424 - KTP

Date:

09.24.2024

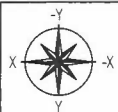
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4 OF 10

Project Name:

14x24 Kingston Timber Frame Pavilion

Customer:



6X12 RIDGE ATTACHED TO KING
POST W/ (2) 3/8"X8" TIMBER
SCREWS @ ea. END (TYP)

4X8 COMMON RAFTERS ATTACHED TO
RIDGE W/ (1) 3/8"X10" TIMBER SCREW
AND TO RAFTER PLATE W/ (1) 3/8"X10"
TIMBER SCREW (TYP)

8X8 RAFTER PLATE

4X10 KNEE BRACE

8X8 POST

GRADE

7 1/4"

1
7-10

11'-1 1/8"

7 1/4"

1
6-10

11'-1 1/8"

7 1/4"

TOP OF RIDGE BEAM +14'-9 3/16"

TOP OF RAFTER PLATE +9'-7 1/4"

7'-0"

2'-0"

9'-0"

View: -Y'

Scale: 1/4" = 1'-0"

Architect:

Designer: Elmer Lee Glick

Drafted & Manufactured by:

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Contractor:

Project no.:

1424 - KTP

Date:

09.24.2024

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5 OF 10

Project Name:

14x24 Kingston Timber Frame Pavilion

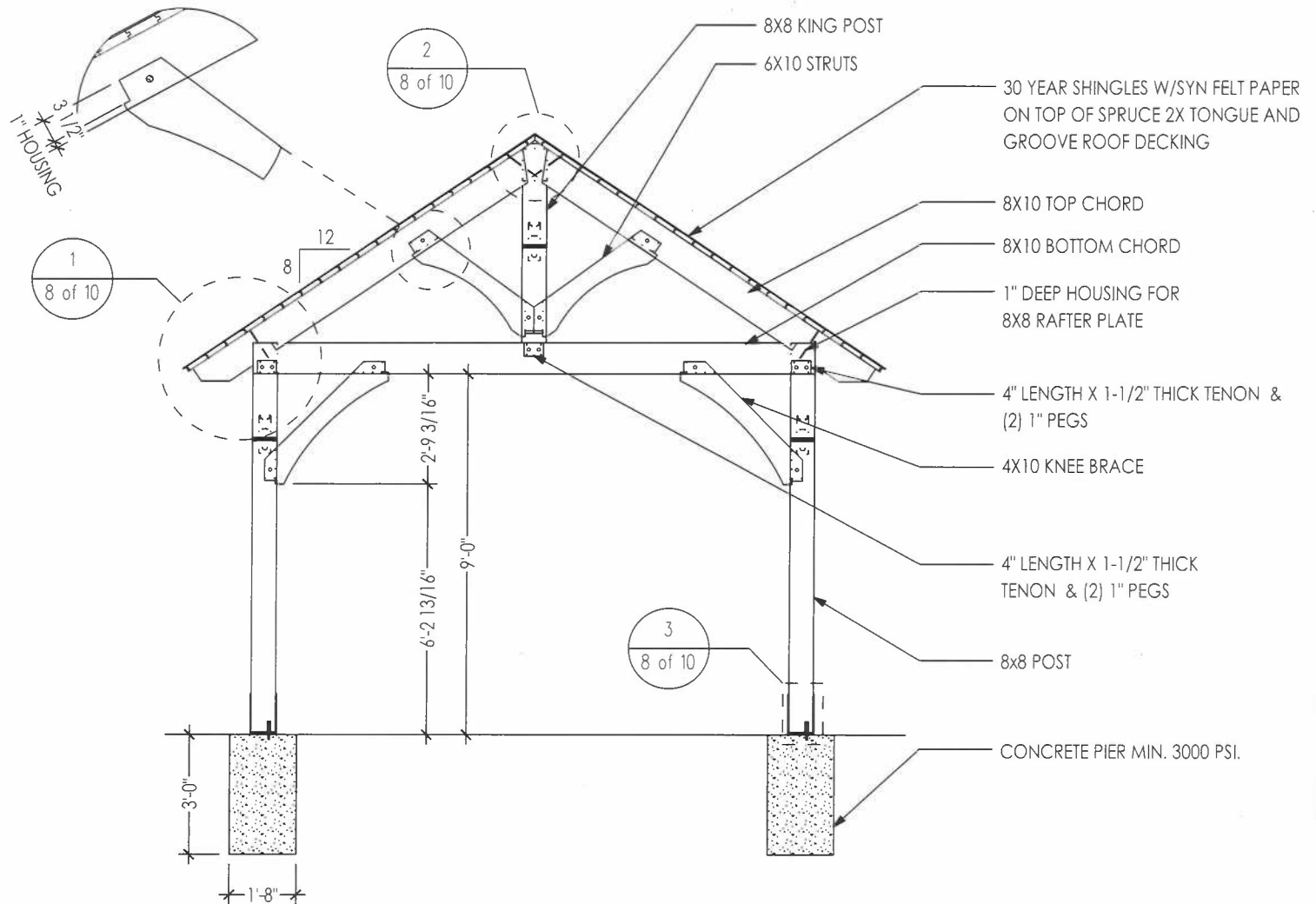
Customer:

Engineer:

Revised:

Revised:

Revised:



Section: Bent A,B, & C
Scale: 1/4" = 1'-0"

Architect:

Designer: Elmer Lee Glick

Drafted & Manufactured by:

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Contractor:

Engineer:

Revised:
Revised:
Revised:

Project no.:

1424 - KTP

Date:

09.24.2024

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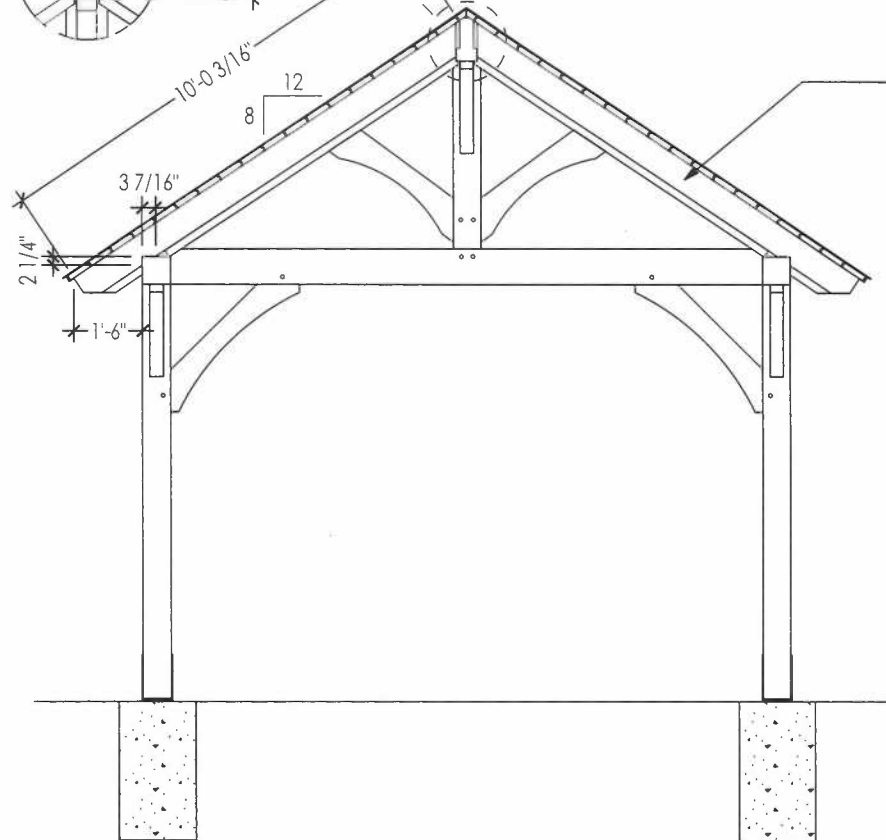
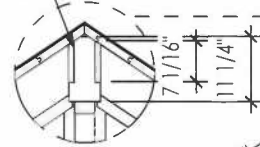
6 OF 10

Project Name:

14x24 Kingston Timber Frame Pavilion

Customer:

7/8" DOVETAIL



4X8 COMMON RAFTERS
ATTACHED TO RIDGE W/ (1)
3/8"X10" TIMBER SCREW AND
TO RAFTER PLATE W/ (1)
3/8"X10" TIMBER SCREW (TYP)

Section: Rafter
Scale: 1/4" = 1'-0"

Architect:
Designer: Elmer Lee Glick
Drafted & Manufactured by:

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Contractor:

Engineer:

Revised:
Revised:
Revised:

Project no.:

1424 - KTP

Date:

09.24.2024

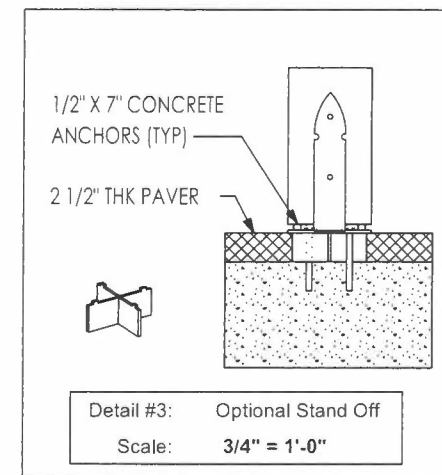
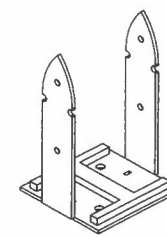
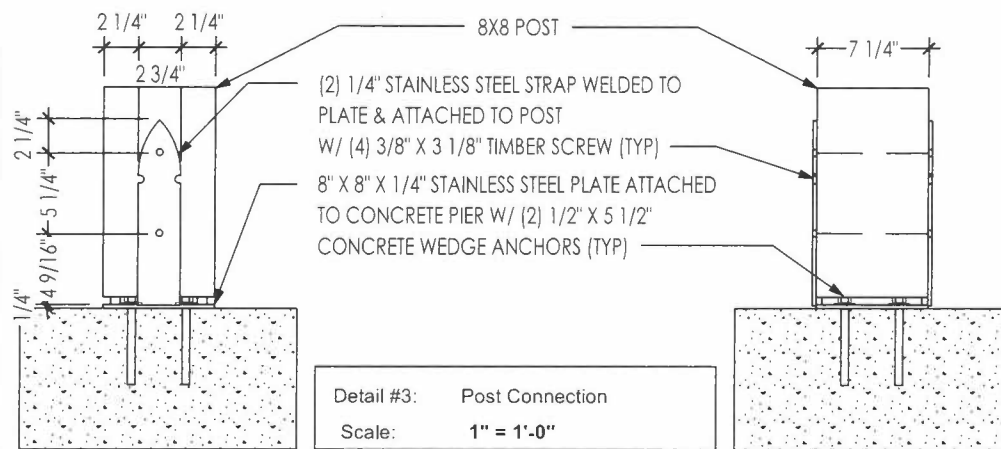
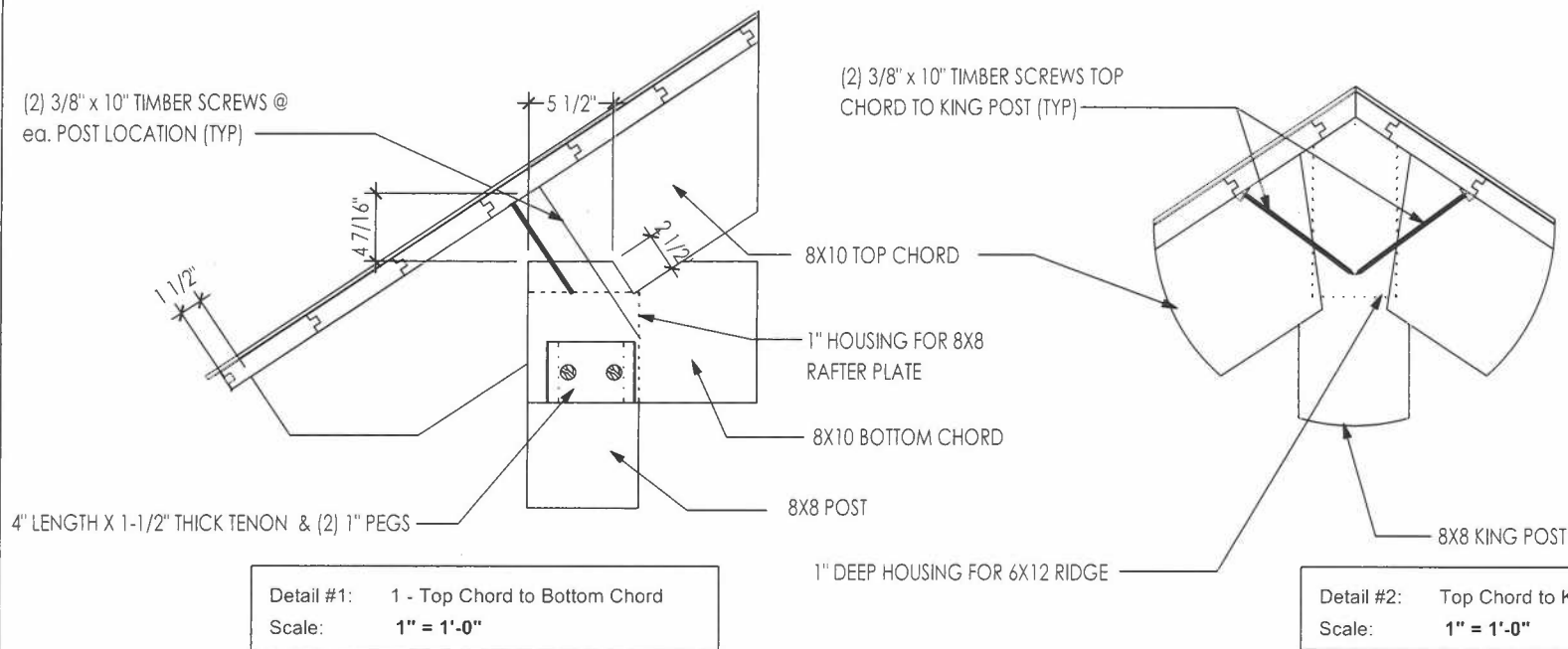
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7 OF 10

Project Name:

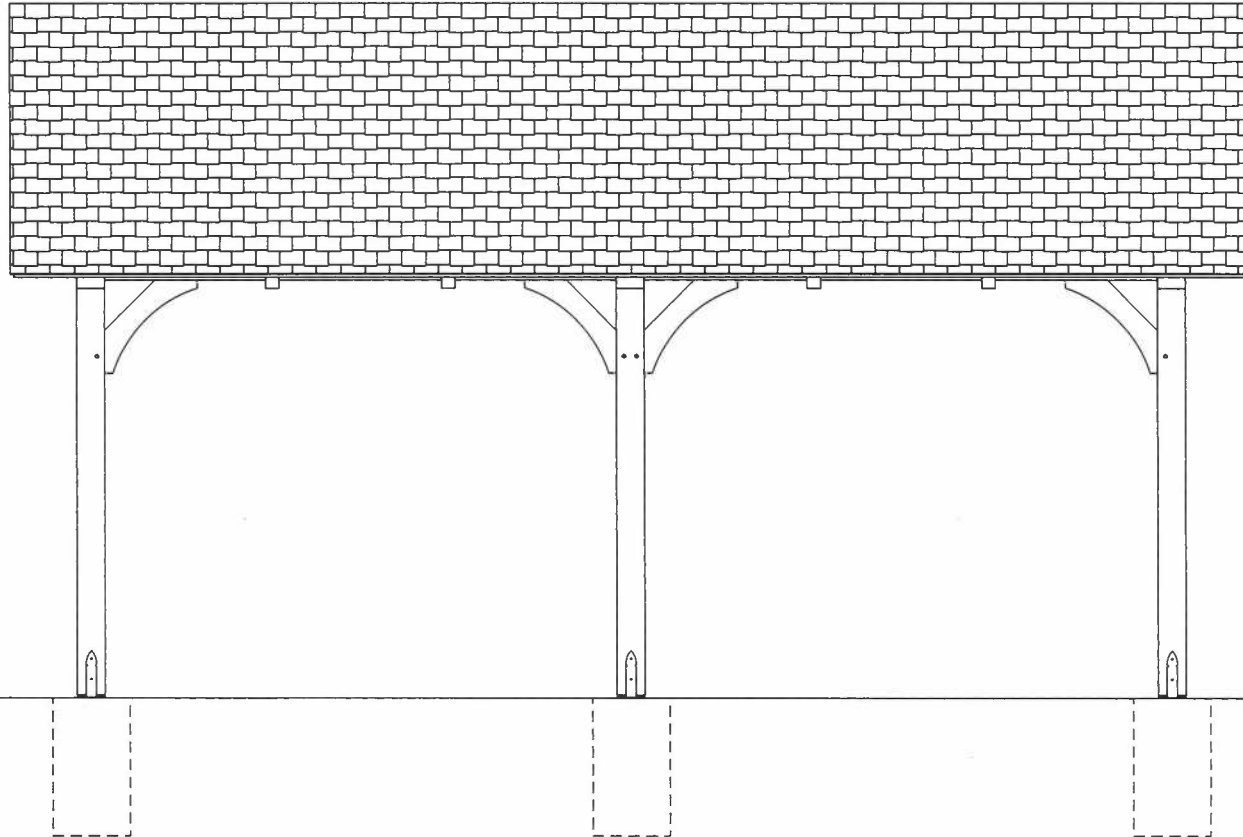
14x24 Kingston Timber Frame Pavilion

Customer:



Architect:	Contractor:	Project no.:	Project Name:
Designer: Elmer Lee GLick		1424 - KTP	14x24 Kingston Timber Frame Pavilion
Drafted & Manufactured by:		Date:	Customer:
		09.24.2024	
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+14'-11 11/16" APPROX. HEIGHT



± 0" GRADE



Note: OPPOSITE VIEW IS THE SAME

View: Y

Scale: 1/4" = 1'-0"

Architect:

Designer: Elmer Lee Glick

Drafted & Manufactured by:

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Contractor:

Engineer:

Revised:
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Project no.:

1424 - KTP

Date:

09.24.2024

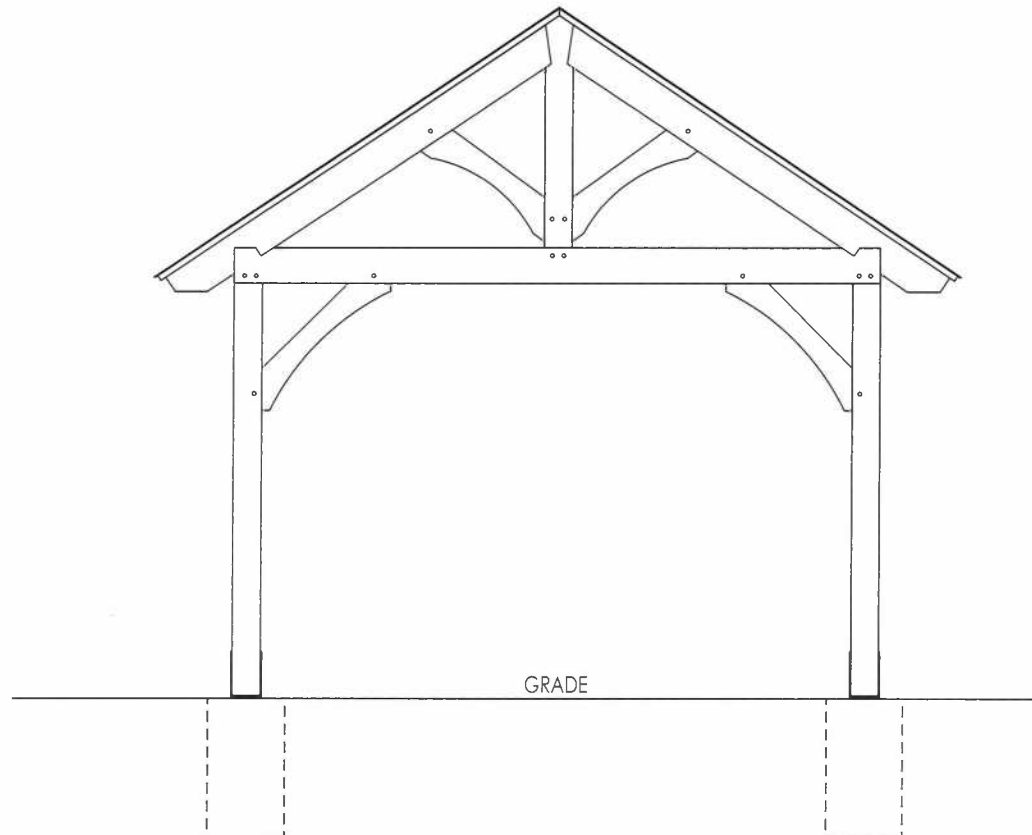
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9 OF 10

Project Name:

14x24 Kingston Timber Frame Pavilion

Customer:



Note: OPPOSITE VIEW IS THE SAME

View: X
Scale: 1/4" = 1'-0"

Architect:	Contractor:		Project no.:	Project Name:
Designer: Elmer Lee Glick			1424 - KTP	14x24 Kingston Timber Frame Pavilion
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		Revised:	10 OF 10	
		Revised:		