

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.

Andrea O'Neill 7-31-25
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: 2689 Wagar Rd Rocky River, OH 44116

Sean & Andrea O'Neill

Name of Property Owner

Name of Applicant Representative

2689 Wagar Rd Rocky River

Address

Address

Andrea

Telephone No.

440-655-6931

Cell Phone No.

Telephone No.

Cell Phone No.

E-MAIL: Andreaoneill01@gmail.com

E-MAIL: _____

Description of what is intended to be done:

Replace and extend a patch of existing river rock next to the driveway to provide an improved yard aesthetic & protect yard from unnecessary tire ruts created when vehicles enter and exit existing bump out parking space at the top of our driveway

Sections of the Code from which variance is being requested:

Section: 1111.09(c)

Section: 1153.15(4)

List variances requested:

river rock vs concrete

No setback from property line

Andrea L. O'Neill

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); 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.)		
<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 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).

We reside on one of the busiest streets, and in front of a major intersection with no street parking. Our driveway, due to the attached garage is one of the shortest in our vicinity. We require flexibility to manage a family of five, whom all drive, and all have jobs, with some having school + sports on top of work.

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 are unable to properly maintain that portion of the yard due to vehicle traffic moving cars in and out and parking without something stronger in place over the grass. It is annually destroyed over the winter/spring seasons. Please reference before picture.

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 setback is three feet less than code as it runs close to or on the property line. Our fence installed approx. 2006 had a site survey done. Our backyard fence runs along our property line on that side.

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).

Our neighbors are pleased with the update (please see supporting letters). Our adjoining neighbor has no detriment to the clean line of the river rock, and it wears well during inclement weather, and blends in well with the original driveway.

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

No adverse impact to governmental services.

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

No previous knowledge of zoning restrictions

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

None known at this time

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).

Currently, no other financially reasonable option to achieve the same functional impact.

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).

Without the river rock, this area shows significant damage to the yard. The aesthetic and functionality is greatly improved with the river rock.

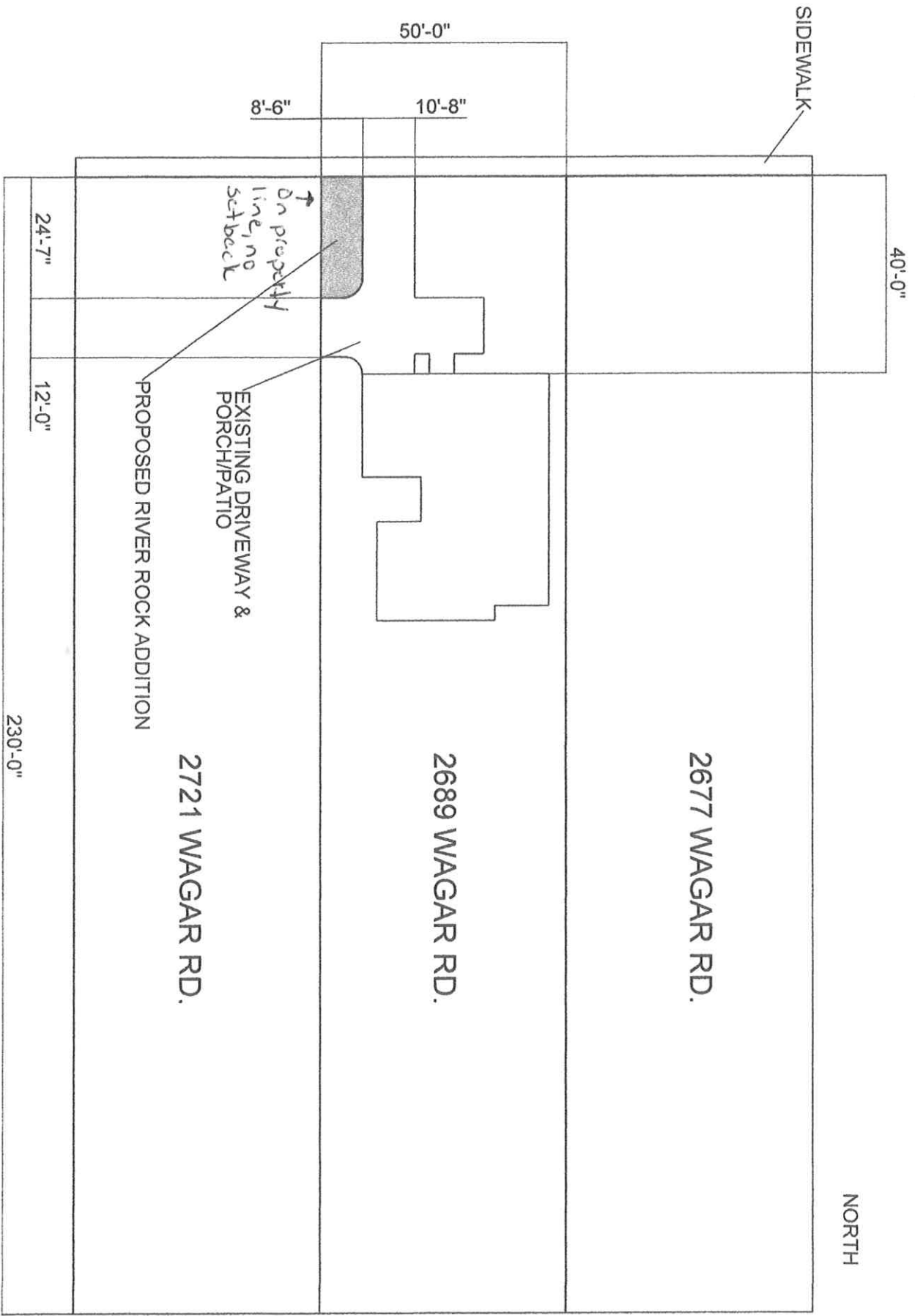
J.) Explain whether the granting of the variance requested will confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

Unknown

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.

Unknown

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.



Bai (Marie) Macfarlane
2721 Wagar Road
Rocky River, OH 44116

June 20, 2025

To Whom it Concerns:

I understand that the O'Neill family, who own the home at 2689 Wagar Road, are seeking a variance from the terms of the Rocky River Code.

As their neighbor to the south, I wish to express my support. The river rocks placed in their yard have no adverse effect on my property or rights.

When our homes were built in the 1940s, family life existed in a different cultural and economic context. Today, it is important for licensed young drivers to have access to vehicles to commute to jobs or school. The O'Neill family is in that situation, and I believe the requested variance is reasonable.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bai Macfarlane", written in dark ink.

Bai (Marie) Macfarlane

2690 Wagar Road
Rocky River, Ohio 44116

June 24, 2025

Dear Sir or Madame:

We have occupied our home at 2690 Wagar Rd. since 1984. Our neighbors, the O'Neills, are almost directly across the street at 2689 Wagar. It is our understanding that they are seeking a variance for a small stone extension to their driveway.

As long-time residents, we find the subject extension neither objectionable or aesthetically unpleasing, and see it as a reasonable solution to the problem of providing necessary parking for their family vehicles.

We support the granting of the O'Neills' requested variance.

Best regards,



Lawrence Lampp
Joyce Lampp

Mark Slankard
2677 Wagar Rd.
Rocky River, OH 44116

June 24, 2025

To Whom It May Concern,

I am writing regarding the recent code violation issued to our next-door neighbors, Sean and Andrea O'neil, concerning the installation of river rocks at the edge of their driveway to accommodate an additional vehicle. I would like to express my full support for a variance to allow this modification.

Our neighbors have three children who are of driving age, and their home—like many in this area—was built in the 1940s with a single-car garage and a relatively short driveway. Given today's realities, including teens commuting to school and work, the need for additional off-street parking is understandable.

Prior to the recent reinstallation of the rocks, that same area was often driven over, which caused visible damage to the lawn. The rocks were initially placed there to mitigate that wear and tear. Their effort to tidy and formalize this space does not negatively impact us in any way.

Given the evolution of household needs since these homes were originally built, and the practical function of the improvement, I believe the request for a variance is appropriate and well-justified.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to be 'M Slankard', written in a cursive style.

Mark Slankard