

INSTRUCTIONS TO APPLICANTS

Rev. 8/21

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: 09/23/2025 Hearing Date: 10/09/2025
Zoning of Property LB - Local Business Permanent Parcel No. 304-15-061

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

Address of property seeking variance: 19632 Center Ridge Rd., Rocky River, OH 44116

Mike Assad

Name of Property Owner

expopager@gmail.com

Address

Telephone No.

Cell Phone No.

E-MAIL: expopager@gmail.com

Forrest Paige - HSB Architects

Name of Applicant / Representative

1250 Old River Rd. Suite 201, Cleveland, OH

Address

216-325-1349

Telephone No.

Cell Phone No.

E-MAIL: fp Paige@hsbarch.com

Description of what is intended to be done:

A new Jiu Jitsu recreation gym is proposed to be operated out of the vacant tenant suite
in the Rocky River Shoppes plaza and to utilize the existing parking lot for the plaza for
employees and gym goers.

Sections of the Code from which variance is being requested:

Section 1187.09 Off-Street Parking Standards requiring 7 spaces for this new tenant when
only 2 spaces in the plaza are free and able to be utilized per the calculations in this section.

List variances requested:

A variance is requested for these 5 parking spaces that the calculations require that the
existing shared parking lot is lacking.



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)</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 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 checked="" 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).

This 1,530sf tenant suite in the plaza is required to provide off-street parking and there is no space to expand the existing shared parking area for the plaza. Per the zoning code calculations for parking, there would only be 1 free parking space available for this tenant to use. At 1,530sf, there is no use/tenant that would be permitted to occupy this suite without a parking variance per the requirements of the zoning code.

- 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 a variance for parking, there is no tenant that would be able to occupy this vacant tenant suite, having only a single free parking spot remaining per the calculations for the plaza for a 1,530sf tenant space. The tenant space would remain vacant indefinitely.

- 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).

This variance would be for 5 additional parking spaces at peak operating hours for the plaza, which currently provides 49 parking spaces. This variance would be a 7% increased allowance for shared parking during business peak operating hours compared to what the zoning code allows.

- 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 new Jiu Jitsu gym tenant would bring opportunities for local residents to engage in new fitness activities. Other businesses in the plaza could potentially be hurt by this parking variance if the lot fills up and their patrons have nowhere to park. The new Jiu Jitsu gym could also benefit other businesses in the plaza with the increasing number of people frequenting the plaza that may patronize other businesses as well. The aesthetic look of the plaza would also be improved by having a full plaza with no tenant spaces sitting vacant.

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

Approving this parking variance to allow a new tenant to occupy the vacant suite in the plaza would not impact the governmental services to the plaza, as it is already set up to serve all tenants.

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

The property owner is aware of the parking guidelines laid out in the zoning code. It would be reasonable to expect the existing plaza was originally constructed to be compliant with all zoning codes and to provide adequate parking to be able to occupy all tenant suites in the plaza.

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

The plaza building footprint was not altered or expanded by the owner, and the existing parking lot should be sufficient to serve all businesses within the plaza as it was originally designed/constructed.

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).

The only other solution to viably occupy this tenant suite without a parking variance would be to require limited hours of operation for this tenant outside of peak hours, which would drastically limit the economic viability of a business in this tenant space.

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).

The intent behind the parking restrictions are to ensure that limited parking does not negatively impact other nearby businesses or cause excessive traffic. A variance for 5 parking spaces would not substantially increase the parking load for this plaza, and would allow for a new business to open in Rocky River to give residents a local Jiu Jitsu recreation gym to utilize.

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. A variance for 5 parking spaces within a multi-tenant shopping center would not confer any unique or special privileges that are not afforded to other shared parking lots in this district.

I do not believe any other multi-tenant shopping centers in this district are forced to maintain an indefinitely vacant tenant suite due to parking restrictions imposed by the zoning code.

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.

Enforcing the literal interpretation of the zoning code for parking allowances in a shared plaza without a parking variance would prevent any tenant from being able to occupy this suite.

Without this variance for 5 parking spaces, the property owner would be forced to maintain an indefinitely vacant tenant suite without the ability to be occupied by a new business.

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.