

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.
- 4) **Elevation drawings** (for pergola, garage, addition or exterior alteration).
- 5) **Photographs** of your property and affected adjacent properties. Also, submit a photo example of proposed fences and storage sheds.
- 6) **Support letters** from surrounding property owners, if available.
- 8) **PLEASE NOTE THAT THE GRANTING OF A VARIANCE IS NOT A BUILDING PERMIT. A SEPARATE BUILDING PERMIT MUST BE ISSUED PRIOR TO ALL CONSTRUCTION.**

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

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: _____ Hearing Date: _____
Zoning of Property GB- General Business Permanent Parcel No. 30119015

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

Address of property seeking variance: 19061 Depot Street, Rocky River OH 44116

Depot Street Development LLC
Name of Property Owner

Tom Gillespie
Name of Applicant / Representative

1836 West 25th Street, Cleveland OH 44113
Address

1836 West 25th Street, Cleveland, OH 44113
Address

(216) 522-1850
Telephone No. _____ Cell Phone No. _____

(216) 323-5561
Telephone No. _____ Cell Phone No. _____

E-MAIL: getco@getcoenvironmental.com

E-MAIL: tomg@getcoenvironmental.com

Description of what is intended to be done:

Proposed signage

Sections of the Code from which variance is being requested:

1193 Sign Regulations

List variances requested:

Height of existing blade sign; signage located on side of building; design standards - painted directly on brick surface / Design and Construction Board of Review comments

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 checked="" 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 checked="" 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 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).

Existing lot shape includes a triangular area that extends to the corner of Depot and Lake.

The main entrance faces this area, which is shared parking with the adjacent property owner.

This area may not meet the definition of frontage but this side is the most visible to passing traffic.

- 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).

Signage facing Lake Rd. is critical to have visibility. Depot St. has limited traffic and views of the building are obstructed by the topography adjacent to the railroad.

- 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).

Variances are minimal and reflect the unique conditions of the property.

- 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).

Adjacent properties are utilized as parking and railroad, therefore the signage will have little impact to the neighborhood.

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

None

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

Property owner did not specifically understand signage limitations of the zoning code.

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

The owner painted the signage on the building without approval, but is willing to work with the city to determine the appropriate resolution.

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).

There are no other means in regards to the shape of the parcel and frontage.

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 proposed signage will allow the public to know that the self-storage use is available to them.

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.

None

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.

Yes, the provisions of the code do not account for the shape of the parcel or how the definition of frontage is applied to this parcel.

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.