

## **20770 Hilliard Blvd**

- **Variance:** To retain and expand an 8' ornamental fence vs the 6' that is permitted. Per Section: 1151.13 (3)

### **1151.13 ACCESSORY USE REGULATIONS.**

(3) Height. No fence shall exceed six (6) feet in height in any rear or side yard, or exceed three (3) feet in height when located in front of a building or in yards abutting a public street right-of-way, unless otherwise required by this Development Code.

## **20244 Detroit Rd**

- **Variance:** To demolish a garage and construct 3 unenclosed parking spaces vs the 3 enclosed spaces that are required. Per Schedule: 1187.09(3)
- **Variance:** To demolish a garage and construct parking along both side property lines vs the 10-foot side setback that is permitted. Per Schedule: 1157.11 (2)
- **Variance:** To construct a trash enclosure within the parking setback vs trash enclosures shall comply with the minimum parking setback. Per Section: 1157.19 (b)

Principal Building or Use	Minimum Parking Requirement <sup>(a)(c)</sup>
(3) Single-family attached dwelling, Multi-family dwelling	2 spaces per dwelling unit at least 1 enclosed in a garage, plus guest parking at the rate of 1 space for every 4 dwelling units

Schedule 1157.11 Minimum Parking Setbacks	
	Multi-family Districts
(1) Minimum Setback from Street ROW	10 feet
(2) Setback from Side and Rear Lot Lines	10 feet

### **1157.19 PERFORMANCE STANDARDS.**

(b) Trash Receptacles. All solid waste products, including empty packing boxes, that result from any permitted principal, conditional, or accessory use shall either be disposed of, stored in buildings, or completely enclosed in containers. Such building, container, or dumpster shall be located in a side or rear yard and shall comply with the minimum parking setbacks set forth in Schedule 1157.11 and shall be screened in accordance with the provisions set forth in Chapter 1185, Landscaping & Screening Regulations.

## **21298 Endsley Ave**

- **Variance:** To install a generator with sound deadening 7'-9" from the side property line vs. the 10' that is permitted. Section: 1153.15 (k)(2).

### **1153.15 ACCESSORY USES AND STRUCTURES.**

(k) Air Conditioning, Generators and Heat Pumps. Air conditioner condensers, generators and heat pumps shall comply with the following:

(1) Outdoor condensers and heat pumps may be located in either the rear yard or the side yard, but shall not be located less than ten (10) feet from the side lot line. No more than two (2) such units may be located in the side yard. Such units shall be baffled so as not to exceed the noise level of seventy (70) decibels measured from the lot line, and screened with evergreen plant material so that within two (2) years the equipment is adequately screened from view.

(2) Permanently installed generators may also be located in either the rear yard or the side yard, **but not less than ten (10) feet from the side lot line** and shall be baffled and screened according to the provisions in subsection (k)(1) above. Generators shall only be used as an emergency and temporary source of electrical power, and exclusively fueled by natural gas.

## **20612 Stratford Ave**

- **Variance:** To construct a covered deck on the rear of the home, increasing the lot coverage from 30% to 32% vs the 28% that is permitted. Per Schedule: 1153.05 (3)

<b>Schedule 1153.05</b>		
<b>Minimum Lot Requirements</b>		
	<b>R-1 Single-Family Residential District</b>	<b>R-2 Two-Family Residential District</b>
(1) Minimum lot area	10,000 square feet	6000 square feet (b)
(2) Minimum width at building setback line <sup>(a)</sup>	75 feet	60 feet
<b>(3) Maximum lot coverage by building</b>	<b>28%</b>	28%
<sup>(a)</sup> On curved streets, the lot width shall be the arc length of the building setback line.		
<sup>(b)</sup> Per Dwelling Unit		

## **20088 Center Ridge Rd**

- **Variance:** To screen HVAC mechanical equipment with a fence vs evergreen plant material that is required. Per Section: 1185.13 (b).

### **1185.13 SCREENING OF ACCESSORY USES.**

(b) Ground-mounted Mechanical Equipment. Ground mounted mechanical equipment shall be screened with evergreen plant material so that within four (4) years the equipment is completely obscured from view.

## **19505 Frazier Dr**

- **Variance:** To retain two air conditioning condensers 5' from the side property line vs the 10' that is permitted. Per Section: 1153.15 (k)(1).

### **1153.15 ACCESSORY USES AND STRUCTURES.**

(k) Air Conditioning, Generators and Heat Pumps. Air conditioner condensers, generators and heat pumps shall comply with the following:

(1) Outdoor condensers and heat pumps may be located in either the rear yard or the side yard, but shall not be located less than ten (10) feet from the side lot line. No more than two

(2) such units may be located in the side yard. Such units shall be baffled so as not to exceed the noise level of seventy (70) decibels measured from the lot line, and screened with evergreen plant material so that within two (2) years the equipment is adequately screened from view.

(2) Permanently installed generators may also be located in either the rear yard or the side yard, but not less than ten (10) feet from the side lot line and shall be baffled and screened according to the provisions in subsection (k)(1) above. Generators shall only be used as an emergency and temporary source of electrical power, and exclusively fueled by natural gas.

## **19986 Beach Cliff Blvd**

- **Variance:** To expand an existing 6' lattice fence along the side yard vs. side yard fences shall have a maximum height of 5'. Per Section: 1153.15 (j)(2).

### **1153.15 ACCESSORY USES AND STRUCTURES.**

(j) Fences, Walls, and Planting Screens. Fences shall comply with Schedule [1153.15](#) and shall be constructed, located, and maintained in conformance with the standards set forth below:

(2) Side Yard Fences. **In the side yard, the maximum fence height shall be five (5) feet,** except for chain link fences which shall not exceed four (4) feet in height. Ornamental, board on board, and picket fences are the only types of fences permitted in the side yard, except synthetic covered chain link fences are permitted to abut existing chain link fences, and except as provided for in sub-section [1153.15\(j\)\(7\)](#) below.

## **19640 Center Ridge Rd**

- **Variance:** To provide 49 off-street parking spaces vs the 54 off-street parking spaces that are required. Required parking spaces are determined by the nature of Uses and the associated minimum parking requirement set forth in Schedule 1187.09. The 54 required spaces are after the 20% reduction for shared parking. Per Section: 1187.15 (a).

### **Schedule 1187.09: Required Off-Street Parking Spaces**

<b>Principal Building or Use</b>	<b>Minimum Parking Requirement<sup>(a)</sup></b>
(1) Business, professional and administrative office (excluding medical and dental)	3 spaces per 1000 square feet of floor area
(3) Retail establishment, business or personal service establishment (except as otherwise specified below)	4 spaces per 1000 square feet of floor area
(4) Beauty salons and barber shops	2 spaces per beauty or barber chair
(7) Restaurant - Counter service when located in a shopping center (b)	10 spaces, or 1 space per 50 square feet of floor area, whichever is greater, plus 1 space for each delivery vehicle
(4) Commercial recreation, indoor	4 spaces per 1,000 square feet of floor area

### **1187.15 ALLOWANCE FOR SHARED PARKING.**

Two or more uses may share parking facilities without providing the minimum number of on-site required spaces for each use, when parking spaces are provided in compliance with all the requirements of this Section.

(a) The minimum required number of parking spaces for the combined uses may be reduced by twenty (20) percent for shared parking when hours of operation overlap. Residential uses shall not be allowed to share parking facilities.



## **3196 Wooster Rd**

- **Variance:** To install an air conditioning condenser 5'-9" from the side property line vs the 10' that is permitted. Per Section: 1153.15 (k)(1).
- **Variance:** To construct a covered front porch with a front yard setback of 32' vs the 35' as shown on the setback map, City of Rocky River, May 12, 1975. Per Section: 1153.07 (a)

### **1153.15 ACCESSORY USES AND STRUCTURES.**

(k) Air Conditioning, Generators and Heat Pumps. Air conditioner condensers, generators and heat pumps shall comply with the following:

- (1) Outdoor condensers and heat pumps may be located in either the rear yard or the side yard, **but shall not be located less than ten (10) feet from the side lot line.** No more than two
- (2) such units may be located in the side yard. Such units shall be baffled so as not to exceed the noise level of seventy (70) decibels measured from the lot line, and screened with evergreen plant material so that within two (2) years the equipment is adequately screened from view.



## **21228 Avalon Dr**

- **Variance:** To enclose an existing covered porch that sits completely in the rear yard setback, projecting 14'-2" at its furthest point. This property is adjacent to Lake Erie, and the setback is determined by averaging the rear setbacks of the nearest dwellings on either side of the lot, but shall not be less than 25 feet. Per Schedule: 1153.07 (b).

<b>Schedule 1153.07</b>		
<b>Minimum Setback Requirements</b>		
	<b>R-1 Single-Family Residential District</b>	<b>R-2 Two-Family Residential District</b>
(1) Side Setback <sup>(a)</sup>		
A. Minimum of any one side	8 feet	8 feet
B. Total side setback	16 feet	16 feet
(2) Rear Setback <sup>(b)</sup>	25 ft.	25 ft.
<p><sup>(a)</sup> For lots of less than sixty (60) feet in width, each side setback shall be not less than one-eighth (1/8) of the width of the lot, but not less than five (5) feet, whichever is greater.</p> <p><sup>(b)</sup> The required rear setback, when the parcel is adjacent to Lake Erie, shall be determined by averaging the rear setbacks of the nearest dwellings on either side of the lot, but shall not be less than 25 feet. For the purposes of this Section only, the "property line" along Lake Erie shall be the point where the natural shoreline intersects the ordinary high water elevation as determined by the Ohio Department of Natural Resources, Division of Geological Survey.</p>		

## **20725 Westway Dr**

- **Variance:** To construct a detached garage with a gross floor area of 636 square feet, vs the 600 square feet that is permitted. Per Section: 1153.15 (c).

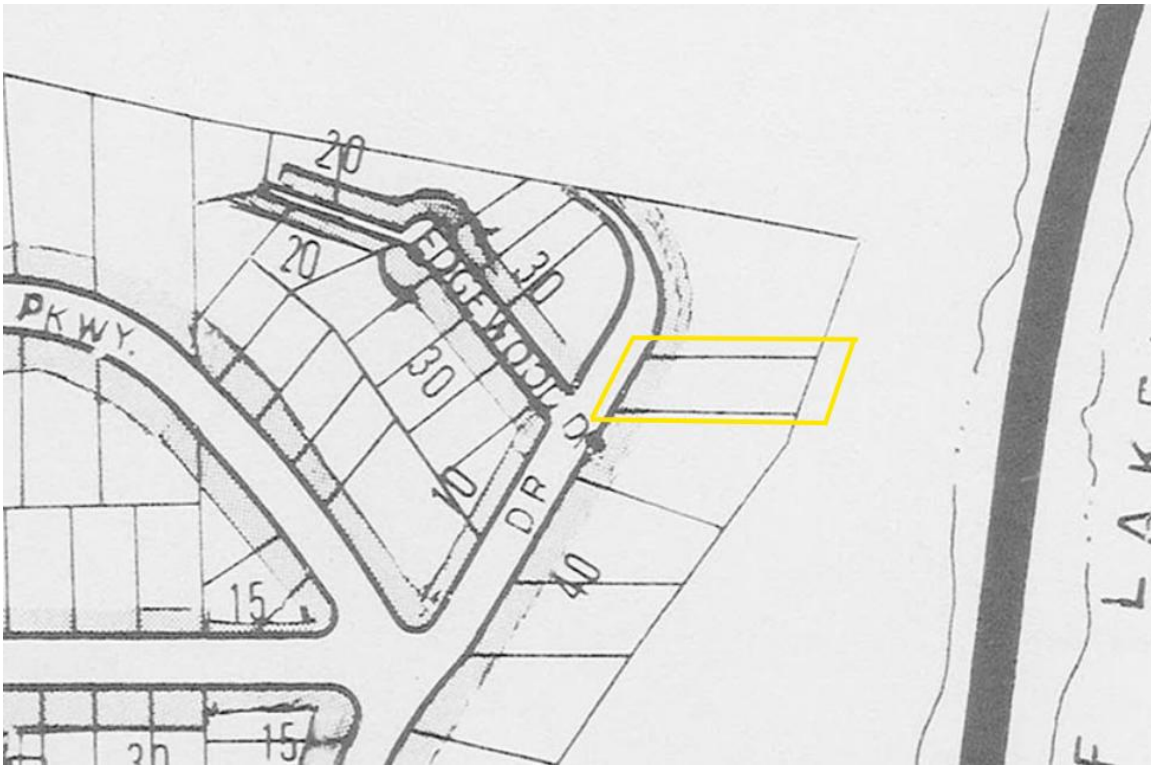
### **1153.15 ACCESSORY USES AND STRUCTURES.**

(c) Accessory Buildings. An accessory storage building shall not exceed one hundred (120) square feet in gross floor area. No more than two (2) accessory buildings, only one (1) of which shall be an accessory storage building, shall be located on a single zoning lot. The maximum, gross floor area of all accessory buildings on a zoning lot, **including detached garages, shall not exceed 600 square feet.** Accessory building shall not contain habitable spaces.

(Ord. 71-12. Passed 3-25-13; Ord. 87-17. Passed 12-17-18.)

## **2121 Valley View Dr**

- **Variance:** To construct a front yard garage addition with a front yard setback of 31'-3" vs the 40' as shown on the setback map, City of Rocky River, May 12, 1975. Per Section: 1153.07 (a).
- **Variance:** To construct a screened-in front porch with a side setback of 6' and two window wells with side setbacks of 2' and 1'-11" vs the 8' that would be permitted. Per Schedule 1153.07 (1)(A).



### **Schedule 1153.07**

#### **Minimum Setback Requirements**

	<b>R-1 Single-Family Residential District</b>	<b>R-2 Two-Family Residential District</b>
(1) Side Setback <sup>(a)</sup>		
A. Minimum of any one side	<b>8 feet</b>	8 feet
B. Total side setback	16 feet	16 feet

## **2666 Wagar Rd**

- **Variance:** To install a side yard fence with 0% transparency vs the 25% transparency that is permitted. Per Section: 1153.15 (j)(2).
- **Variance:** To install a rear yard fence with 0% transparency vs the 25% transparency that is permitted. Per Section: 1153.15 (j)(3).
- **Variance:** To install a corner side yard fence with 0% transparency vs. the ornamental style that is permitted. Per Section: 1153.15 (j)(4).
- **Variance:** To install a corner side yard fence with a height of 60” vs the 42” that is permitted. Per Section: 1153.15 (j)(4).
- **Variance:** To install a corner side yard fence 6” from the property line at its closest vs. the 5’ corner side yard setback that is required. Per Section: 1153.15 (j)(4).

### **1153.15 ACCESSORY USES AND STRUCTURES.**

Fences, Walls, and Planting Screens. Fences shall comply with Schedule 1153.15 and shall be constructed, located, and maintained in conformance with the standards set forth below:

(2) Side Yard Fences. In the side yard, the maximum fence height shall be five (5) feet, except for chain link fences which shall not exceed four (4) feet in height. Ornamental, board on board, and picket fences are the only types of fences permitted in the side yard, except synthetic covered chain link fences are permitted to abut existing chain link fences, and except as provided for in sub-section 1153.15(j)(7) below.

(3) Rear Yard Fences. Fences in the rear yard shall not exceed six (6) feet in height, except chain link fences which shall not exceed four (4) feet in height. Ornamental, board on board, picket fences, synthetic covered chain link fences, or similar fences that are twenty-five percent (25%) transparent regardless of the angle at which the transparency is viewed are the only types of fences permitted in the rear yard, except as provided for in sub-section 1153.15(j)(7) below. However, any portion of the fence over five (5) feet in height shall be constructed of materials that are fifty percent (50%) transparent when viewed perpendicular to the fence. The openings of the fence that provide the transparency shall be evenly spaced throughout the vertical surface.

(4) Fences on a Corner Lot Within the Required Corner Side Setback. For lots located on a corner, fences may be located in the required corner side setback provided such fences are located behind the front wall of the principal building and setback five (5) feet from the corner side lot line. Only ornamental fences shall be permitted within the corner side yard to a maximum height of forty-two inches.

## **19061 Depot St**

- **Variance:** To retain a projecting sign 8'-7" above ground level vs the 10' that is permitted. Per Section: 1193.07 (d)(4).
- **Variance:** To retain painted wall signage on the north elevation vs permanent signs shall be fabricated on and of materials that are of good quality and good durability. Per Section: 1193.17 (b)(9).
- **Variance:** To retain two wall signs on the north elevation vs the one wall sign that is permitted. Per Section: 1193.05 (a).
- **Variance:** To install a fabricated wall sign on the east elevation vs each building frontage shall be entitled to the sign area permitted. Per Section: 1193.05 (a)(2).
- **Variance:** To appeal the final decisions of the Design and Construct Board of Review. Per Section 5.

### **1193.07 SIGNS IN OFFICE, BUSINESS, SERVICE, AND MIXED USE DISTRICTS.**

#### **(d) Projecting Signs.**

(1) A projecting sign shall be at least six (6) inches from the wall and extend no more than three (3) feet beyond the face of the building wall or other structure.

(2) A projecting sign may be displayed only if the building is located within six (6) feet of the public right-of-way.

(3) Projecting signs shall be limited to occupants that have a minimum of 20 feet of building frontage.

(4) All projecting signs shall be placed at least 10 feet above ground level, except when the projecting sign is located above a landscaped area or other area that does not permit pedestrian traffic beneath the sign.

### **1193.17 SIGN ILLUMINATION, CONSTRUCTION AND MAINTENANCE STANDARDS.**

#### **(b) Construction Standards.**

(1) No signs shall be placed, erected or maintained so as to obstruct, in any manner, any fire escape or window, door, exit or entrance to or from any building, or otherwise be placed in the City's right-of-way.

(2) No sign shall be placed, erected or maintained in a manner which will interfere with the proper and convenient protection of property by the Division of Fire.

(3) No sign shall be supported or braced from or guyed to a sidewalk, street, alley or public thoroughfare.

(4) Where a public thoroughfare approaches and crosses a railroad at the same grade, no sign shall be erected or placed in a manner which would obstruct the view of 400 feet of the

railroad on each side of the crossing, by anyone on the thoroughfare within 200 feet of the crossing.

(5) No sign shall be placed or erected in such a manner as to unduly obstruct the view of traffic or traffic lights at intersections.

(6) No sign shall be erected or placed so that any part thereof, including cables, guys, braces, supports, etc., shall be within a fifteen (15) foot distance of public utility electric conductors carrying not more than 600 volts, and for conductors carrying more than 600 volts not within a distance of thirty (30) feet of such conductors, except that this provision shall not apply to electric conductors which serve the sign.

(7) No sign shall be placed or erected on the wall of a building when such wall abuts on any residential district as established by the Zoning Code.

(8) No sign shall be placed or erected on or attached to any part of a building roof.

(9) Permanent signs shall be fabricated on and of materials that are of good quality and good durability.

(10) Electric signs and all permanent signs involving structural requirements of the building code shall be installed, repaired, altered and serviced only by a contractor licensed to perform such tasks.

(11) Temporary signs shall be durable and weather-resistant, and fastened or anchored sufficiently, whether attached to the building or positioned in the ground.

### **1193.05 COMPUTATION AND RULES OF MEASUREMENT.**

The following regulations shall control the computation and measurement of sign area, sign height, window area, and building frontage.

(a) Determining Building Frontage and Building Unit. For the purposes of these sign regulations, the length of the building wall that faces a public street, that faces a public parking lot, or that contains a public entrance to the uses therein shall be considered the building frontage.

(1) The primary frontage shall be the portion of a frontage that serves as the main access point to a building or building unit. A site/building will be considered to have secondary frontage when any of the following site/building characteristics are present:

- A. The subject site is a corner lot;
- B. The primary parking area is not located adjacent to a public street; and,
- C. The building or unit has walls with ingress and egress that do not face the public street.

(2) Each building frontage shall be entitled to the sign area permitted in this Chapter.

(3) The building frontage shall be measured along such building wall between the exterior faces of the exterior side walls. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.

(4) In the case of an irregular wall surface, a single straight line extended along such wall surface shall be used to measure the length.

(5) For buildings with a group of activities, the portion of a building that is owned or leased by a single occupant shall be considered a building unit. When a site has primary and secondary frontage as defined herein, the property owner shall determine which wall shall be the primary building frontage and which wall(s) shall be the secondary building frontage. Only one outside wall of any business shall be considered its primary frontage.

## **SECTION 5. DESIGN AND CONSTRUCTION BOARD OF REVIEW.**

(a) Organization. The Design and Construction Board of Review shall consist of three (3) regular voting members. Two (2) alternate members shall also be appointed. Terms of regular and alternate members shall be for three (3) years each. Each member shall be an architect or engineer duly licensed or registered by the State of Ohio to practice their profession.

No member of the Design and Construction Board of Review shall participate in the review of any work of which said Board member or a partner or professional associate is the author, or in which said Board member or they have any direct or indirect financial interest. In the event of the temporary absence for any reason of any of the three (3) regular members or disqualification of any regular member to act upon any matter coming before the Board, one or more of the alternate members shall be designated by the chairperson to serve during such temporary absence or disqualification so that at least two (2) members shall be present at any meeting or be able to act on any matter.

(Amended 11-4-14.)

(b) Powers and Duties. The Design and Construction Board of Review shall have such powers and duties as Council shall provide by ordinance concerning the review and regulation of the design, construction, alteration, moving or razing of buildings in the City for the purpose of maintaining the high character of community development and protecting real estate within the City from the impairment or destruction of value.

(c) Appeals. Appeals from final decisions of the Design and Construction Board of Review shall be made to the Board of Zoning and Building Appeals.

(Amended 11-5-96.)