

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.

Amy Mylett
Property Owner

10/30/25
Date

Jill Brandt
Applicant/Representative

10/30/25
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: 10/30/25
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: 19800 Detroit Rd

GKHE Properties
Name of Property Owner

Jill Brandt, Brandt Architecture
Name of Applicant / Representative

Address

2220 Wooster Rd. Rocky River, OH 44116
Address

440-532-2727
Telephone No. _____
Cell Phone No. _____

440-865-1824
Telephone No. _____
Cell Phone No. _____

E-MAIL: gmylett27@gmail.com

E-MAIL: jbrandt@brandtarchitecture.com

Description of what is intended to be done:

Installing new fence and landscaping along Linda St.

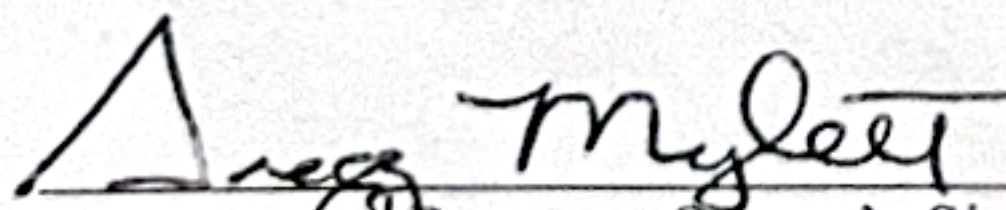
Sections of the Code from which variance is being requested:

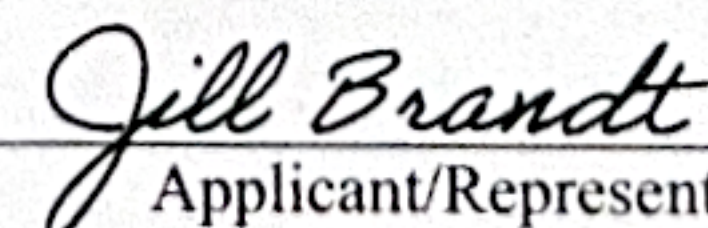
1167.13 a

List variances requested:

4'-0" high fence vs. 3'-0" fence permitted

6" from property line vs. 5'-0" required


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 ☒

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).

Currently the parking lot is used by patrons of other businesses on Linda St. The fence is being installed to prevent cut through driving and to preserve parking for the tenants of this property. A 4' high fence will reduce the ability for pedestrians to climb over the fence. The section to be fenced adjacent to the building slopes away from the sidewalk. Installing 6" from the property line keeps the fence at the same elevation as the sidewalk which is safest.

- 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).

Yes, it could maintain it's current state but is a safety risk for pedestrians (see Planning Commission meeting minutes) and frustration for current tenants.

- 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).

A 12" increase in height is not significant and sufficient to deter people from climbing over.

6" from property line is a significant change from the ordinance but is not requested for the entire length of the property.

Given the slope of the site it is a reasonable location for the fence.

- 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).

No, the new fence and landscaping will enhance the streetscape along Linda St.

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

No. This has been reviewed by the safety director and there is no objection.

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

The problems with parking have increased since the property was purchased.

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).

A 3' fence will not deter pedestrian access from lot to other businesses on Linda St.

A fence 5' from the property line on the sloped area is awkward.

Heavy landscaping could be installed but may not be as nice looking.

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).

Yes, this is a minimal request given the specific site conditions. The property is a unique corner lot with multiple access points and has been directly impacted by the development of Linda St. and general lack of parking on other lots. Granting the variances will preserve use of this lot for the Owner, provide increased safety to pedestrians and an improved streetscape.

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. see above

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.

The tenants of this plaza should be able to preserve parking spaces for their customers as many other businesses are able to.

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.