

Christopher Sbrocco
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Ohio Plumbing License #46335

Open Statement – Variance Application Packet

To the Members of the Rocky River Board of Zoning and Building Appeals:

I am submitting this variance application with the full support of my immediate neighbors, each of whom has expressed no objection to the small accessory shed I am building in the rear corner of my backyard. In fact, my neighbors have kindly agreed to provide written statements and letters in support of this project, which are included in this packet.

Their support demonstrates that the requested variance will not cause any harm, inconvenience, or detriment to adjoining properties or the character of the neighborhood. Instead, this improvement will enhance the property while respecting the privacy and use of surrounding yards.

As both a resident and a contractor in Rocky River, I hold the standards of this city in the highest regard. I consider it a privilege to live here, and I want my project to reflect the best building practices and full compliance with the City's requirements. I respectfully ask the Board to consider the minimal nature of the requested variance, the strong support of the neighborhood, and the positive contribution this improvement will make to the community.

Respectfully,

Christopher Sbrocco

A handwritten signature in black ink, appearing to be 'CS', written over a large, loopy, handwritten 'S' that spans across the signature area.

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Opening Statement – Revised Accessory Structure Proposal

To the Members of the Rocky River Board of Zoning and Building Appeals:

Thank you for the opportunity to be here again. I would like to begin by expressing that I fully respect the City's zoning regulations and the role of this Board in upholding the character, safety, and planning intent of our neighborhoods.

Since my previous submission, I have taken the Board's feedback seriously and have made multiple adjustments to the project in order to better comply with the zoning requirements and minimize the variances requested. These revisions include:

- Reducing the size of the structure from 14' x 18' to 14' x 17', decreasing both footprint and visual impact.
- Relocating the structure further inward on my property, providing approximately 3.5 feet of setback from both the west and north property lines, improving separation from adjacent properties.
- Confirming that the overall property remains well below the City's maximum 28% building coverage limit, demonstrating that the lot is not being overbuilt.
- Maintaining the design so that it does not obstruct sightlines, drainage patterns, privacy, or the use of neighboring yards.
- Continuing to have the full support of adjacent neighbors, who have provided written statements confirming they are comfortable with the revised size and location.

I believe these revisions address the primary concerns raised during the previous hearing, and I want to emphasize that I am fully committed to working within the City's zoning framework. My intention is simply to create a functional and attractive backyard structure that allows my family to enjoy the property while remaining respectful to the neighborhood.

I sincerely appreciate the Board's time, guidance, and consideration throughout this process. Thank you for your continued review and for allowing me the opportunity to present this revised proposal.

Respectfully

Christopher Sbrocco

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.



Property Owner

8/16/25

Date



Applicant/Representative

8/16/25

Date

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 checked="" 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 checked="" type="checkbox"/>	(Area) Practical Difficulties
<ul style="list-style-type: none"> Square footage 	<input checked="" 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

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 _____

Permanent Parcel No. _____

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

Address of property seeking variance: _____

Christopher Sbrocco

Name of Property Owner

Name of Applicant / Representative

19118 Mitchell Avenue

Address

Address

216-509-0133

Telephone No.

"
Cell Phone No.

Telephone No.

Cell Phone No.

E-MAIL: chris@pspcleveland.com

E-MAIL: _____

Description of what is intended to be done:

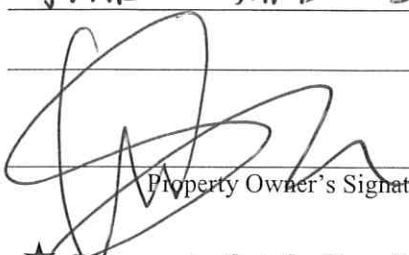
CONSTRUCTION OF SMALL ACCESSORY STRUCTURE REAR
CORNER OF BACK YARD

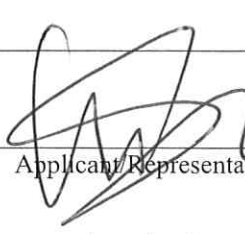
Sections of the Code from which variance is being requested:

SETBACK REQUIREMENTS

List variances requested:

REAR YARD SETBACK SIDE YARD SETBACK


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).

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).

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).

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).

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

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

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

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).

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).

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.

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.

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.

UNNECESSARY HARDSHIP STANDARD

ONLY ANSWER THESE QUESTIONS IF YOU ARE REQUESTING A VARIANCE FOR ANY FUNCTIONAL, LAND OR BUILDING USE NOT SPECIFICALLY PERMITTED IN EITHER A PARTICULAR ZONING DISTRICT, OR OTHERWISE NOT PERMITTED BY THE DEVELOPMENT CODE. (See Typical Variance Sheet for guidance.)

ALL QUESTIONS REQUIRE A COMPLETE RESPONSE

In order to grant a use variance, the Board of Appeals shall determine that strict compliance with the terms of this Code will result in unnecessary hardship to the applicant. **THE APPLICANT MUST DEMONSTRATE SUCH HARDSHIP BY CLEAR AND CONVINCING EVIDENCE** that the criteria in Rocky River Codified Ordinances, sub-section 1133.17(c)(2) is satisfied.

R.R.C.O. Chapter 1133.17(c)(2)A. Please demonstrate hardship with the following:

- i.) Explain how the variance requested stems from a condition that is **UNIQUE TO THE PROPERTY AT ISSUE** and not ordinarily found in the same zone or district. (i.e., topographical or geological limitations; unique structure of original building, etc.)

- ii.) Explain how the granting of the variance will not have any material adverse effect on the rights of adjacent property owners or residents.

- iii.) Explain how the granting of the variance will not have any material adverse effect on the public health, safety or general welfare of the City of Rocky River.

iv.) Explain how the variance will be consistent with the general spirit and intent of the Code.

v.) Explain how the variance sought is the minimum that will afford relief to the applicant.

R.R.C.O. Chapter 1133.17(c)(2)B. If applicable, explain what further evidence you would like the Board of Appeals to consider, as follows:

i.) Whether the property cannot be put to any economically viable use under any of the permitted uses in the zoning district in which the property is located.

ii.) Whether, and to the extent to which (if applicable), the hardship condition is not created by actions of the applicant.

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.

1. Description of What Is Intended to Be Done

Construction of a small accessory structure (shed) in the rear corner of the backyard. The structure will be supported by 6×6 posts on proper footings and will be used for general residential storage and outdoor recreation purposes. The overall height is approximately 10 feet.

2. Sections of the Code Variance Is Being Requested

The variance being requested relates to setback requirements for accessory structures in residential districts. The proposed shed is located closer to the property line than the required minimum setback distance.

3. Property Lines

The shed is being placed in the rear corner of the lot. One side of the shed is approximately 3 feet from the property line, and the adjacent side is approximately 3 feet from the property line.

4. List of Variances Requested

- Rear yard setback variance: To allow the accessory structure to be placed approximately 3.5 feet from the rear property line, where the zoning code requires a larger setback.
- Side yard setback variance: To allow the accessory structure to be placed approximately 3.5 feet from the side property line, where the zoning code requires a larger setback.

Practical Difficulties

A. Describe the conditions and circumstances particular to this property

The property is a typical residential lot in Rocky River with limited backyard space. The rear corner of the yard is the only practical location for a small accessory shed without interfering with existing driveways, utilities, or the use of the home's main yard. The location near the lot line makes efficient use of space and preserves open yard area for daily use.

B. Reasonable return / beneficial use without variance

Without the variance, the property could not accommodate even a small, code-compliant accessory structure without consuming the middle of the usable backyard, which would significantly limit family use and enjoyment. The variance allows a reasonable return by permitting standard backyard storage/recreation that is common for other homeowners.

C. Substantiality and minimum necessary variance

The requested variance is minimal — the structure is located approximately 3.5 feet from the rear property line and 3.5 feet from the side property line instead of the standard setback. This deviation is small and represents the minimum necessary to make the structure workable in the corner of the lot.

D. Character of neighborhood / adjoining properties

The shed will not substantially alter the character of the neighborhood. Similar accessory structures exist on nearby properties, some at comparable distances to property lines. The design is modest, residential in character, and will not cause detriment to adjoining properties. In fact, the finished structure will increase the overall appearance and value of the property and blend with surrounding improvements.

E. Government services

The variance will not negatively affect the delivery of government services. The shed will not interfere with water, sewer, drainage, or trash pickup. No utilities are being altered, and there will be no obstruction of easements.

F. Knowledge of zoning restrictions

The property was purchased with the reasonable expectation that standard residential improvements like a small shed could be added. The specific setback requirement was not known to the owner at the time the structure was started.

G. Actions of the owner

The placement of the shed in the corner was chosen to maximize open yard space and minimize impact on the neighbors or street view. While this decision led to a closer placement to the property line, it was not intended to bypass regulations but to make the most efficient use of the lot.

H. Other methods

Other placement methods on the property would significantly obstruct the primary backyard space, interfere with play areas, or require removal of landscaping. The variance is the only practical way to allow the improvement without unreasonably limiting use of the property.

I. Spirit and intent of zoning

The spirit of the zoning code — to maintain orderly setbacks and protect neighbors — will still be observed. The structure is small, residential in scale, and will not obstruct light, air, or views. Granting this variance does substantial justice by allowing a typical accessory use without harm to the neighborhood.

J. Special privilege

The variance does not confer a special privilege. Other properties in the district have similar small accessory structures. The request only allows this property owner the same enjoyment and utility that others in the neighborhood already have.

K. Deprivation of rights

Literal enforcement of the code would deprive the applicant of the common right to have a small backyard accessory structure for storage/recreation. Many other homeowners in the same district enjoy this right, and the variance simply places this property on equal footing.

Unnecessary Hardship Standard

i.) Condition unique to the property

The hardship stems from the configuration of the lot and the placement of existing improvements, which leave only the rear corner as a practical location for a small accessory structure. This circumstance is unique to this property and not ordinarily found in other lots within the zoning district.

li.) Effect on adjacent property owners

Granting the variance will not materially adversely affect the rights of adjacent property owners. The structure is modest in size and height, consistent with other sheds and accessory buildings in the neighborhood. It does not block views, restrict light or air, or otherwise impact neighbors' reasonable use of their property.

iii.) Effect on public health, safety, welfare

The variance will not have any adverse effect on public health, safety, or general welfare. The structure does not interfere with utilities, drainage, or city services, and will be constructed to safe building standards.

iv.) Spirit and intent of the code

The intent of the zoning code is to protect neighborhood character and maintain adequate separation between structures. The proposed shed is consistent in scale with other accessory uses, will not alter the residential character of the area, and therefore the spirit and intent of the code is preserved.

v.) Minimum necessary variance

The variance requested is the minimum necessary to afford relief. The shed is approximately 3.5 feet from the rear property line and 3.5 feet from the side property line, a small deviation from the required setbacks. Relocating the structure further inward would substantially reduce usable yard area.

i.) Economically viable use

The property can still be used as a single-family home, but without the variance the homeowner cannot reasonably add even a modest accessory structure for storage/recreation. The variance enables a reasonable, common residential use that many other properties enjoy.

li.) Hardship not self-created

The need for relief is not solely a result of the owner's actions, but from the lot layout and existing improvements, which constrain where accessory structures may be placed. The location chosen was intended to minimize impact on the yard and neighborhood, not to avoid code requirements.
