

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: ^{1/29} 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. ^{\$135/} *Check*

SUBMISSION REQUIREMENTS: Please provide **11 stapled sets** of the following:

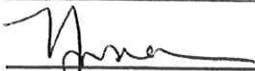
- 1) **Appropriate Building Permit Application** for your project. (i.e., Building Permit Application, Fence Permit Application, Accessory Permit Application, etc.); **Check representing Application Fee.**
- 2) **Fully completed Variance Application.** Begin with a written narrative describing exactly 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

^{1/15/24}

Date

Applicant/Representative 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 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); Detached Garages:</i> <i>(Complete Building Permit Application)</i>		
Note: <i>Total square footage of all accessory buildings, including detached garages, is not to exceed 600 square feet.)</i>		
<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 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).

The home has limited back yards and is in a very busy intersection making it unsafe for young children & pets to use the front yard.

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 the variance the home would offer limited safe outdoor play space for children & families

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).

The fence will be about twice as long, covering the width of the front of the property. It's proposed positioning will be about 22 ft. beyond current ordinance to accommodate a safe enclosed area & respect existing vegetation. The proposed height is slightly taller to continue height of current existing fencing.

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 proposed fence is aligned in character & aesthetics with the neighborhood. It will be the same design as that of the neighboring home, equidistant from the sidewalk and equal in height. The fence will enhance the home and provide safe play space while maintaining an open and visually appropriate streetscape.

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

The variance will have no impact on the delivery of government services.

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

The property owner purchased the property with knowledge of the restrictions after consultation with Rocky River Development Administration.

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

No special conditions or circumstances are anticipated.

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 challenge faces does not offer an alternate solution other than a variance.

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).

Approval would grant the house more suitable for a broader community - particularly families with young children & pets, assuring their safety & that of pedestrians & drivers on this busy road.

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.

The granting of this variance will not offer any special privilege. It would be in alignment with the spirit of our community & the aesthetic & various grants in other homes.

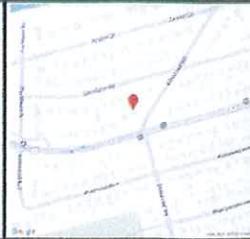
K.) Explain whether a literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Code.

A literal interpretation would confine a family from sole outdoor space commonly enjoyed by other homes that are not on this busy intersection.

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.



www.exactalands.com | office: 866.735.1916 | fax: 866.744.2882



PROPERTY ADDRESS: 380 ELMWOOD ROAD, ROCKY RIVER, OHIO 44116

SURVEY NUMBER: 2601.0049

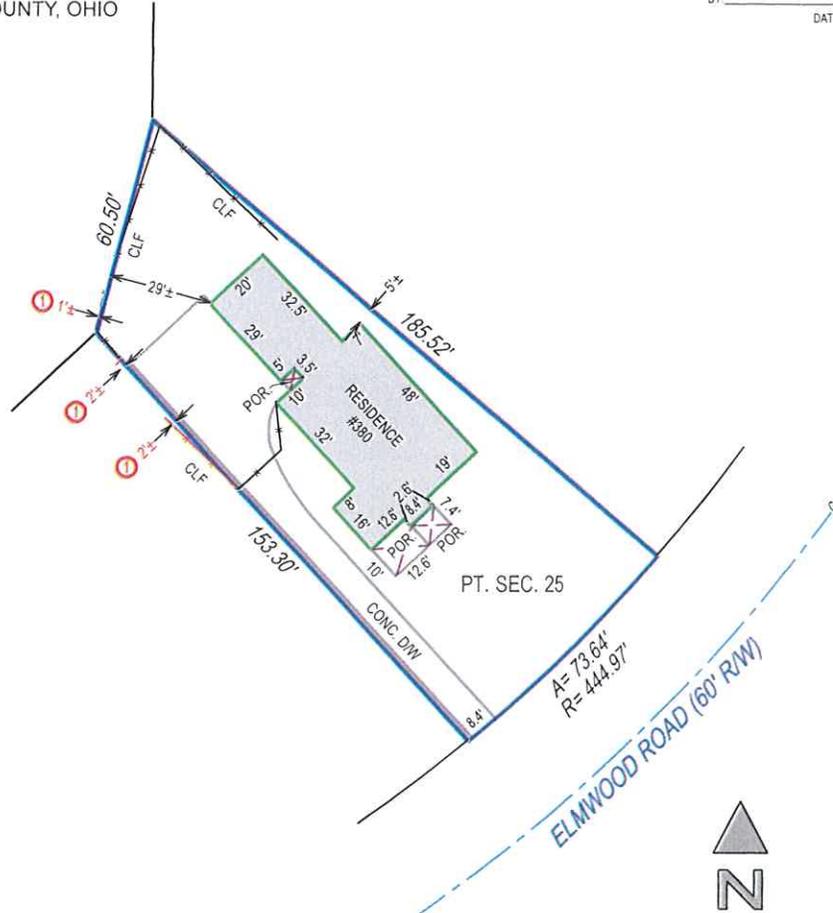
2601.0049
MORTGAGE LOCATION SURVEY
THIS IS NOT A BOUNDARY SURVEY
CUYAHOGA COUNTY, OHIO

ACKNOWLEDGED & ACCEPTED

BY: _____

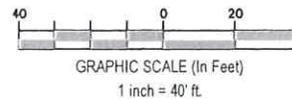
BY: _____

DATE



PLEASE NOTE:
PLEASE REFER TO THE "POINTS OF INTEREST"
SECTION ON THIS SURVEY FOR SPECIFICS.
PLEASE NOTE:
SOME GROUND LEVEL IMPROVEMENTS MAY NOT
HAVE BEEN LOCATED DUE TO SNOW COVER.

A BOUNDARY SURVEY IS
RECOMMENDED TO FULLY DETERMINE
THE EXTENT OF APPARENT
ENCROACHMENT(S) NOTED HEREON



POINTS OF INTEREST:

1. SUBJECT'S CHAINLINK FENCE 1' & 2' +/- OVER PROPERTY LINE

CLIENT NUMBER: ELS-2026-4

BUYER: NATLIE ADSUAR

SELLER: JOLINAX LLC

LOT: PT OF SEC 25 P4A14

BLOCK: B

PLAT: 58

PG: 18

SUBDIVISION: BEACH CLIFF ESTATE SUBDIVISION

COUNTY: CUYAHOGA

CERTIFIED TO:

GENISYS CREDIT UNION / ELEVATED TITLE LLC

THIS MORTGAGE LOCATION SURVEY IS PERFORMED IN ACCORDANCE WITH 4733-38 OF THE OHIO ADMINISTRATIVE CODE AND IS NOT A BOUNDARY SURVEY PURSUANT TO CHAPTER 4733-37 OF THE ADMINISTRATIVE CODE AND IS ONLY FOR THE USE OF THE MORTGAGE LENDER AND TITLE INSURER. DO NOT USE THIS MORTGAGE LOCATION SURVEY FOR FUTURE CONSTRUCTION OF FENCES, SHEDS, GARAGES, ADDITIONS OR ANY OTHER STRUCTURE(S). THIS DOCUMENT MAY NOT SHOW ALL EASEMENTS AFFECTING THE SUBJECT PROPERTY.



FIELD DATE: 1/5/2026

DATE SIGNED: 01/06/26

REVISION HISTORY: (REV.1 1/6/2026)

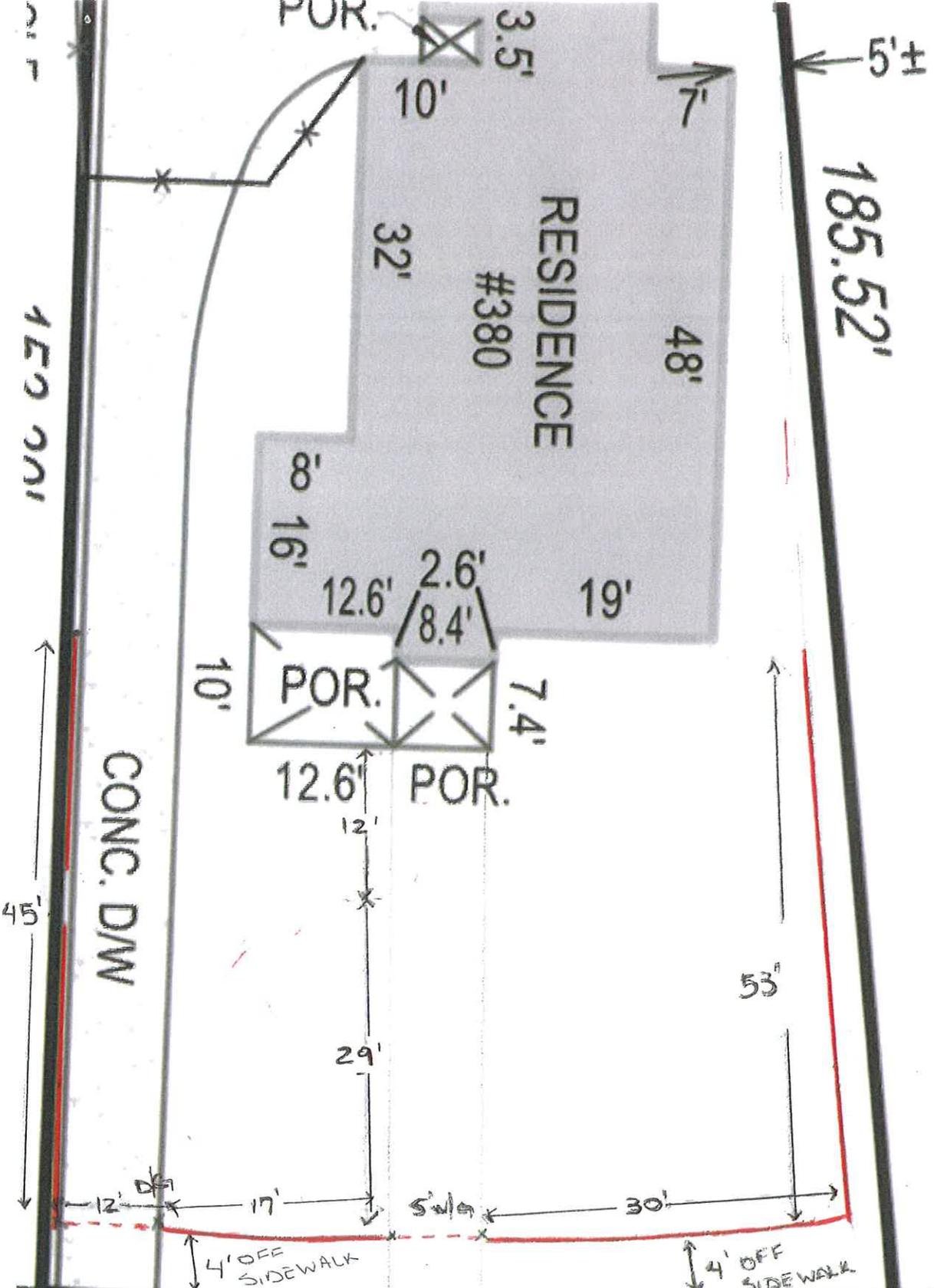


OHIO LAND TITLE
ASSOCIATION

AFFILIATE
MEMBER



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Cleveland, OH 44113
P: 216.751.9000
F: 216.751.9510
www.exactasurvey.com



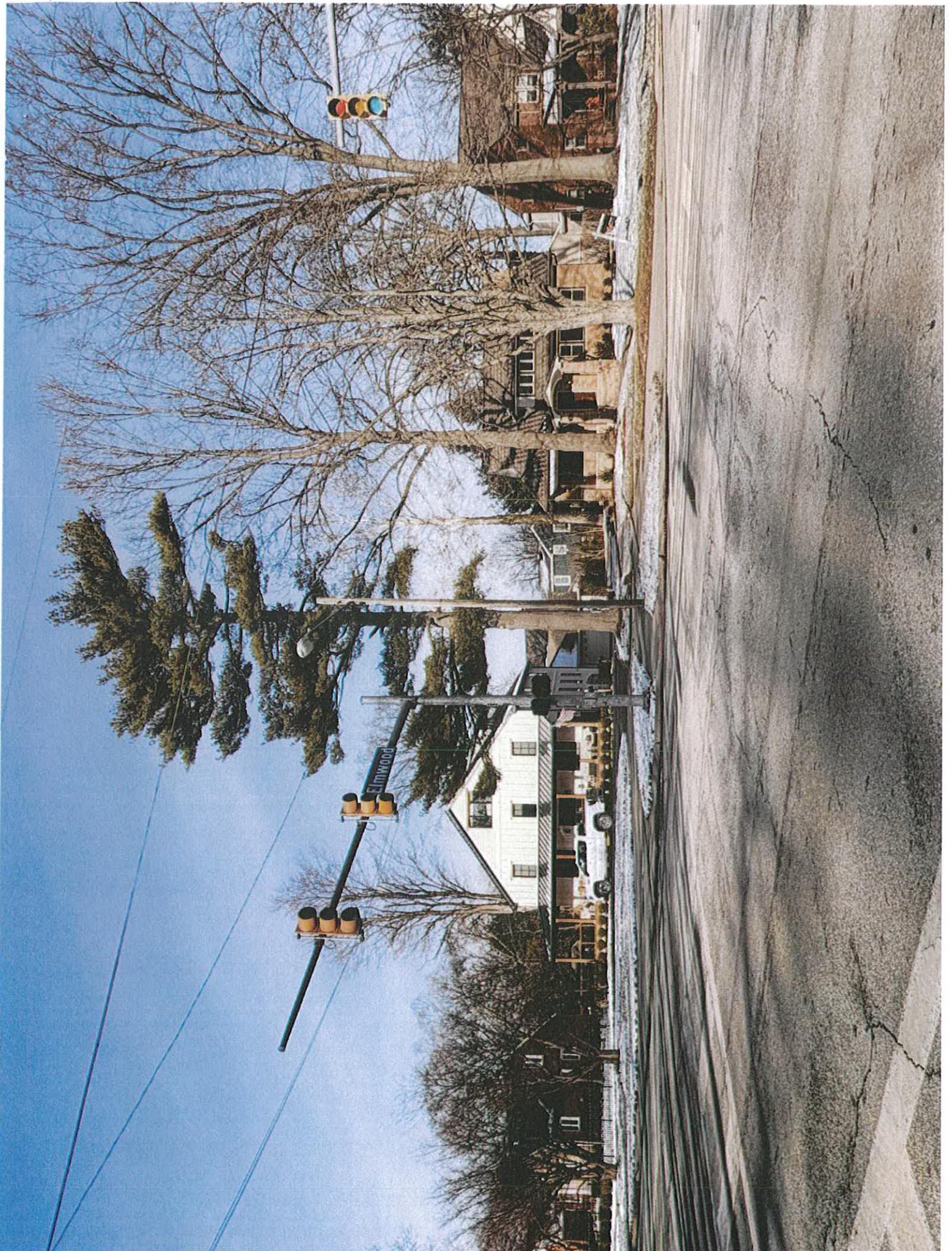
(A)

(B)

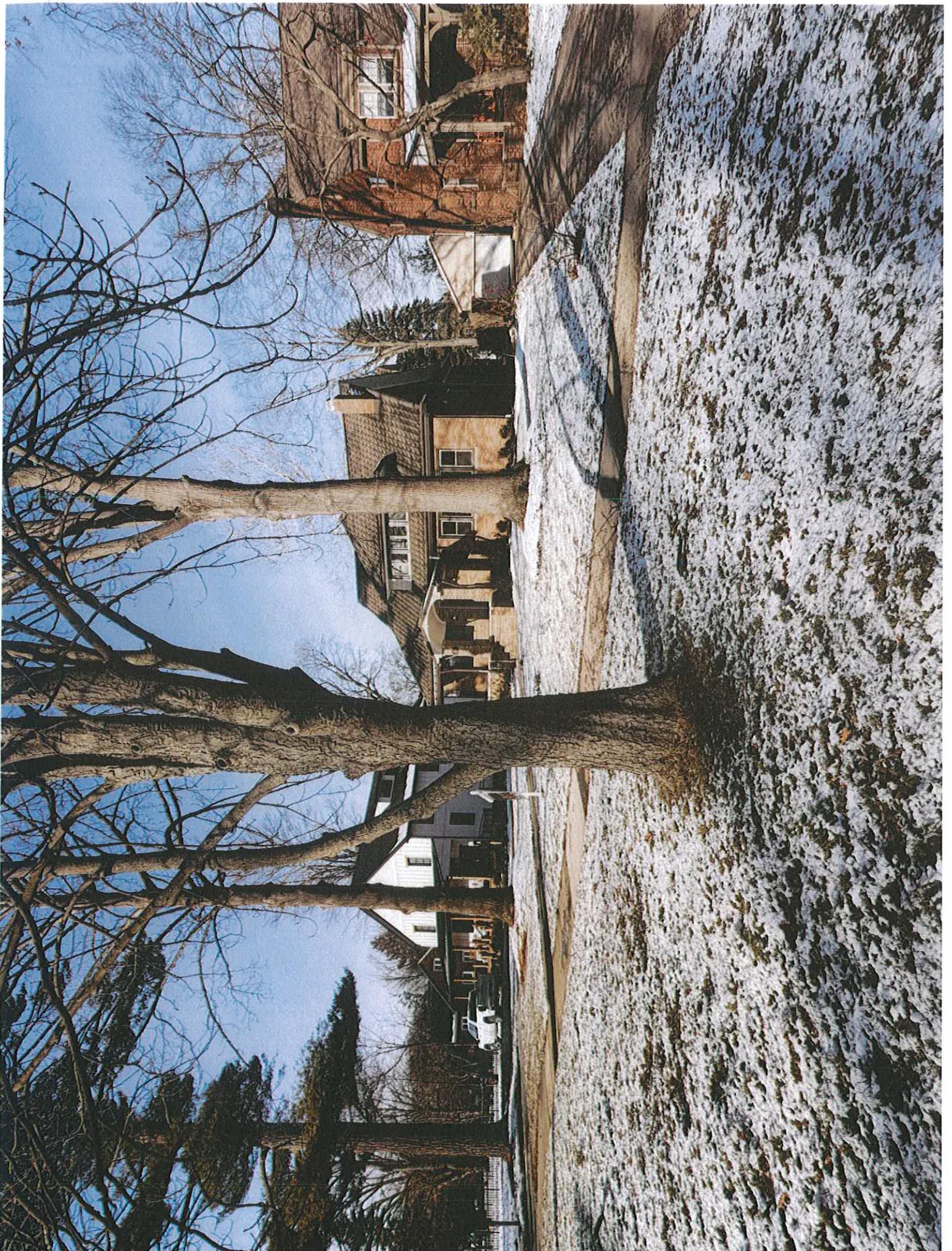




USGS National Map 3D Elevation Program (DEM) January 02, 2025 | Cuyahoga

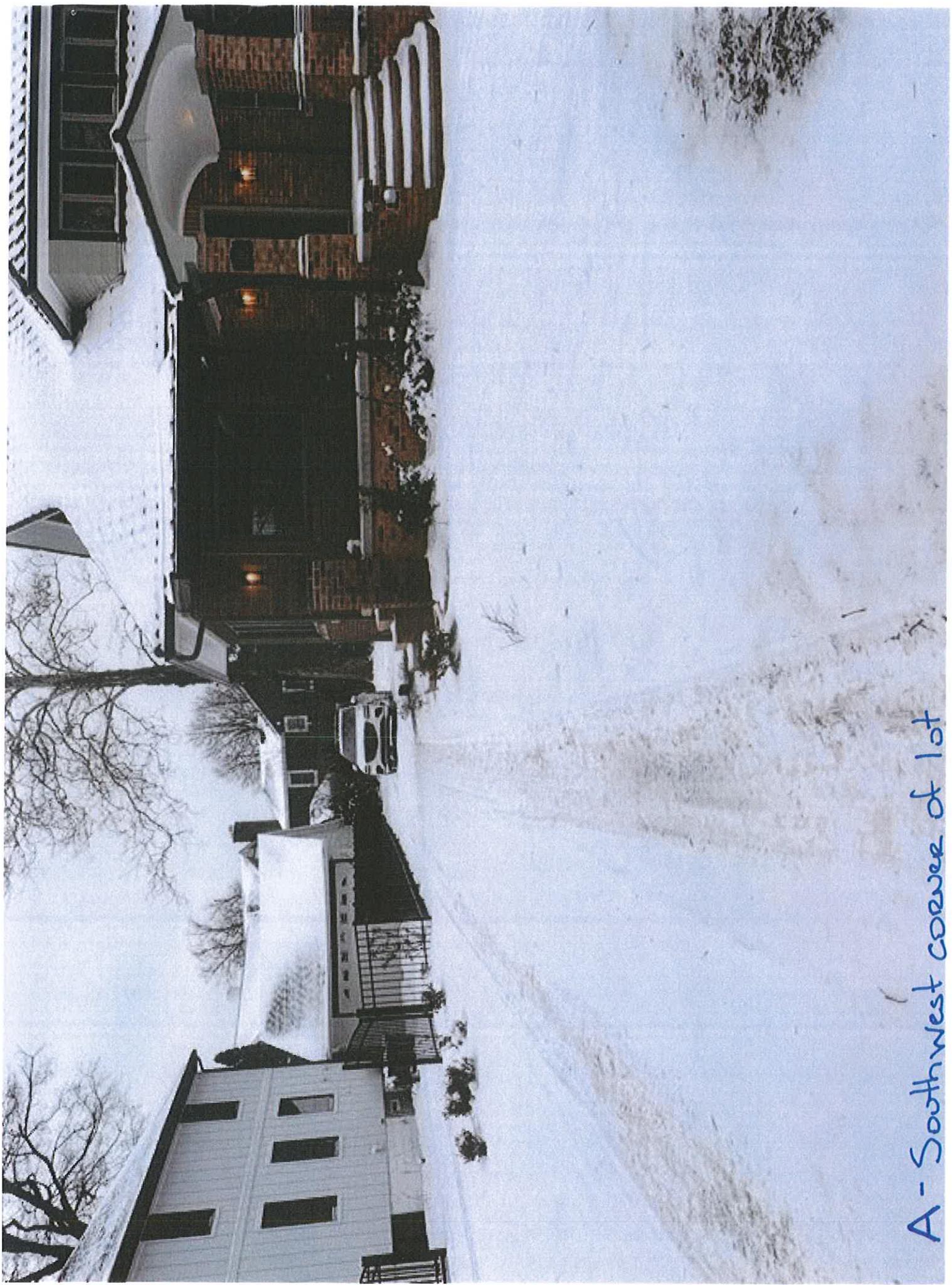




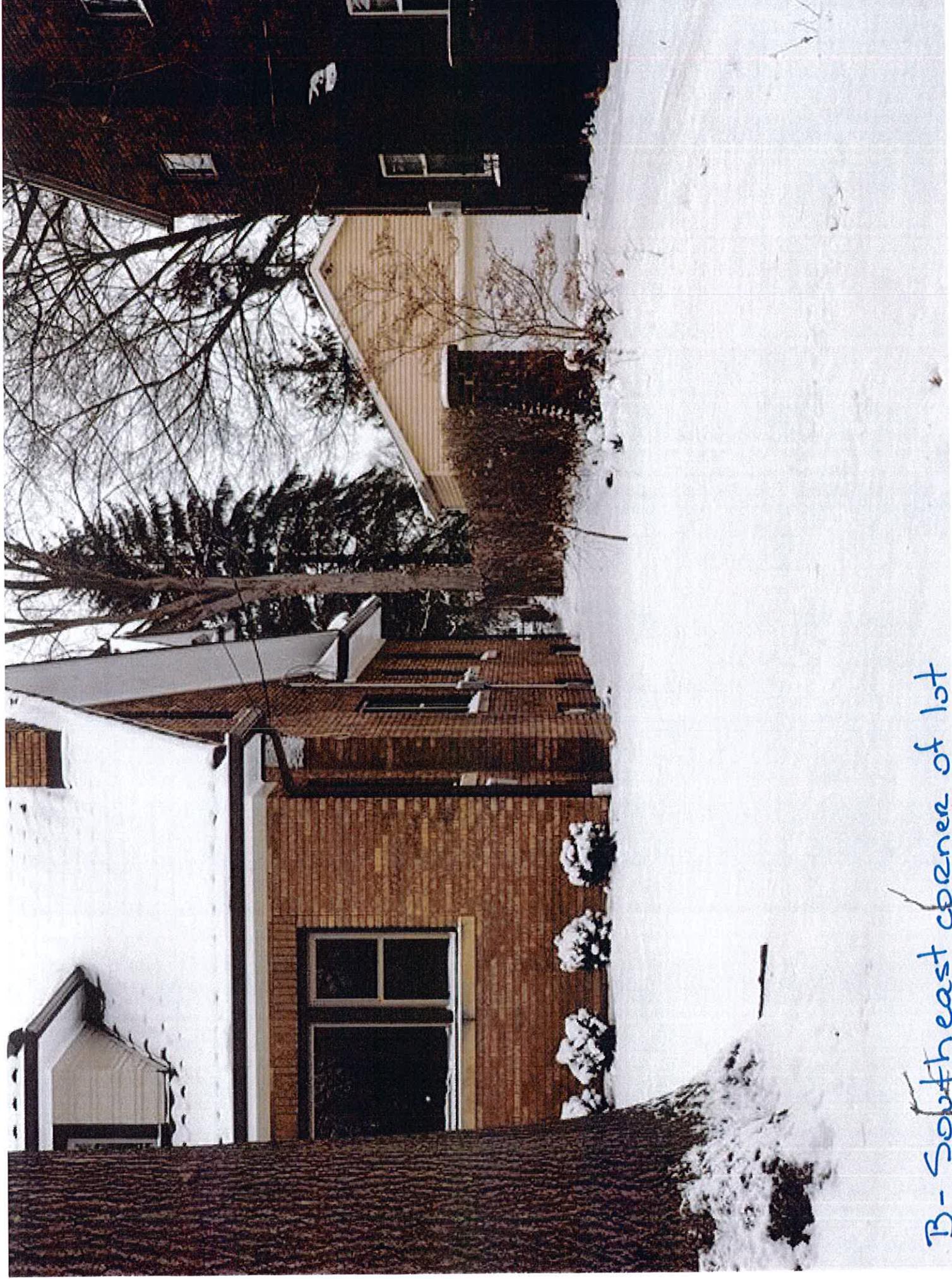








A - Southwest corner of lot



B- Southeast corner of lot



B - back yard

City Building Board / Board of Zoning Appeals Rocky River

**Re: Support for Front-Yard Fence Variance – Natalie Adsuar- 380 Elmwood Rd
Rocky River, OH 44116**

Dear Members of the Board,

We are writing in support of Natalie Adsuar's request for a variance to install a decorative aluminum fence in the front yard of her home at 380 Elmwood Rd.

The proposed fence would match the aluminum fence currently installed at our own property and is consistent with the character of our neighborhood. This tasteful style of fence has not negatively affected visibility, safety, or the appearance of the street.

Because the property is located on a busy intersection, the fence would also provide an added safety benefit by helping protect children and pets from traffic while maintaining an open and appropriate streetscape.

We believe this is a reasonable and appropriate request and fully support approval of the variance.

**Sincerely,
Matthew and Lindsay Phillips
21530 Lake Road
Rocky River Ohio 44116**

Lindsay Phillips
Matthew Phillips

Andrew and Christine Fedynsky
364 Elmwood Road
Rocky River, Ohio 44116
440 356-2584

January 27, 2026

TO: City Building Board / Board of Zoning Appeals Rocky River

RE: Letter of Support – Front-Yard Fence Variance for Natalie Adsuar- 380 Elmwood Rd

Dear Members of the Board,

We are neighboring property owners and are writing to support the request by Natalie Adsuar for a variance to install an ornamental aluminum fence in the front yard of her home at 380 Elmwood Road.

The proposed fence is a reasonable improvement that would fit well with nearby properties and would not negatively impact visibility or the appearance of the neighborhood. Given the location on a busy intersection, the fence would also provide an important safety benefit for children, drivers and pets.

We therefore support approval of the requested variance. Please feel free to contact us if you have any questions or would like additional information.

Sincerely,

Andrew and Christine Fedynsky

City Building Board
Board of Zoning Appeals
Rocky River

January 12, 2026

Re: Letter of Support for Front-Yard Fence Variance – Natalie Adsuar 380 Elmwood Rd
Rocky River

Dear Members of the Board,

I am writing to express my support for Natalie Adsuar's request for a variance to install an aluminum fence in the front yard of her home at 380 Elmwood Rd.

The proposed fence is similar in style and material to other aluminum fences already present in the neighborhood and would be compatible with the surrounding homes. In my opinion, it would be a visually appropriate addition and would not negatively impact the appearance or safety of the street.

Given the home's location near a busy intersection, the fence would also serve an important safety purpose by helping to contain children and pets and reduce the risk associated with nearby traffic.

I believe this request is reasonable and consistent with the character of the neighborhood, and I respectfully encourage the Board to approve the variance.

Sincerely,



John & Vreneli Wall
21556 Lake Rd
Rocky River, OH
44116