

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: _____
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: 2797 Tonawanda Dr. Rocky River, OH

Kim & Brian McCue
Name of Property Owner

Laura Bair - Hurst Design Build
Name of Applicant / Representative

2797 Tonawanda Dr.
Address

26185 Center Ridge Westlake, OH
Address

Telephone No. Kim

Cell Phone No. Brian

Telephone No. _____

Cell Phone No. _____

E-MAIL _____

E-MAIL _____

Description of what is intended to be done:

Backyard Remodel Improvements, including stamped concrete patio, covered structure outdoor living with grill & cooking cabinetry area.

Sections of the Code from which variance is being requested:

The property set back is listed as 8' and the location of the new covered cooking area is outside this area.

List variances requested:

Seeking approval for side area cooking/grill area covered structure.

Kimberly McCue
Property Owner's Signature

Laura Bair
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).

The Unique Area on the right side of the house creates a separated area for cooking within a sheltered area - away from the entertaining patio living space - gas line is located on this side.

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).

The rear house Bay window ^{& dormer location} is preventing the grill - outdoor cooking area from being located on the other side of the sunroom. Owners do not have space with tree & landscape currently.

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).

We are seeking minimal distance to side property line to allow cabinetry & circulation clearances.
~~But~~ The placement we are requesting will be 2'-9" from house side, leaving 5'-2" to the property line.

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 placement of the grill cabinetry and covered structure will not block views or cause any aesthetic impact to adjoining property. The neighbors are aware of these proposed structures and do not oppose them.

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 checked="" 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 checked="" 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> | | |
| <i>Note: 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 |

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

The requested variance would not affect the governmental services at this property.

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

The owners father built the home, no acknowledgement of variances were communicated with home owner transfer.

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

None that we are aware of.

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 existing home design & layout does not facilitate a secondary covered structure on the right side of the Sunroom. - extg. dormer & Bay would be too costly to change.

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 new proposed Elevated design Exterior living would indeed enhance the neighborhood property value.

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.

We are not aware of any exceptional privilege to the homeowner, by granting this variance approval.

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.

None that we are aware of.

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.

