

1. **Variance:** To construct a detached garage with a side setback of 2'-2" vs the 5' that is permitted. Per Schedule: 1153.15 (1)
2. **Variance:** To construct a detached garage with a rear setback of 3'-1" vs the 5' that is permitted. Per Schedule: 1153.15 (1)

<b>Schedule 1153.15</b>				
Permitted Accessory Structures in Front, Side and Rear Yards				
<b>Use</b>	<b>Yard Permitted</b>	<b>Minimum Setback From Lot Line</b>		
		<b>Front</b>	<b>Side</b>	<b>Rear</b>
(1) Detached accessory buildings, including garages	Rear	NP	5 ft.	5 ft.

3. **Variance:** To construct an attached porte-cochere with a side setback of 3'-9" vs the 8' that is permitted. Per Schedule: 1153.07 (1)A.
4. **Variance:** To construct a new single-family home with an egress window that has a 5' side setback vs the 8' that is permitted. 1153.07 (1)A.

<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

5. **Variance:** To install a generator with a side setback of 4'-7" vs the 10' that is permitted. Per Section: 1153.15 (k)(2).
6. **Variance:** To install two AC condensers with side setbacks of 5'-5" and 5'-9" 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.

**Please Note: ALL CONDES NERS AND GENERATORS MUST MEET THE 70 DECIBELS READING AT THE PROPERTY LINE REGARDLESS OF LOCATION AND IF VARIANCE IS GRANTED.**

7. **Variance:** To construct a covered front stoop with a 26'-4" front setback vs the 30' as shown on the setback map, City of Rocky River, May 12, 1975. Per Section: 1153.07 (a).



### 1153.13 PROJECTIONS INTO REQUIRED SETBACKS.

(b) Every part of a required yard shall be open to the sky and unobstructed except for accessory buildings, as set forth in Section [1153.15](#). Architectural features, such as chimneys, bay windows, cornices, and sills and hoods and shading devices may project from the principal building not more than two and one-half (2 ½) feet into any setback. Entrance platforms and other open shelters may project into the front or side setback for a distance of five (5) feet. Unroofed and unenclosed architectural features attached to the principal building, such as platforms, landings, steps, decks or other features, not extending above the first floor level of a dwelling, may extend into the rear setback, provided that such features shall not project more than ten (10) feet into such required setback.

8. **Variance:** To construct a new single-family residence with a height of 29'-5" vs the 25' that is permitted. Per Section: 1153.09 (a).

### 1153.09 HEIGHT REQUIREMENTS.

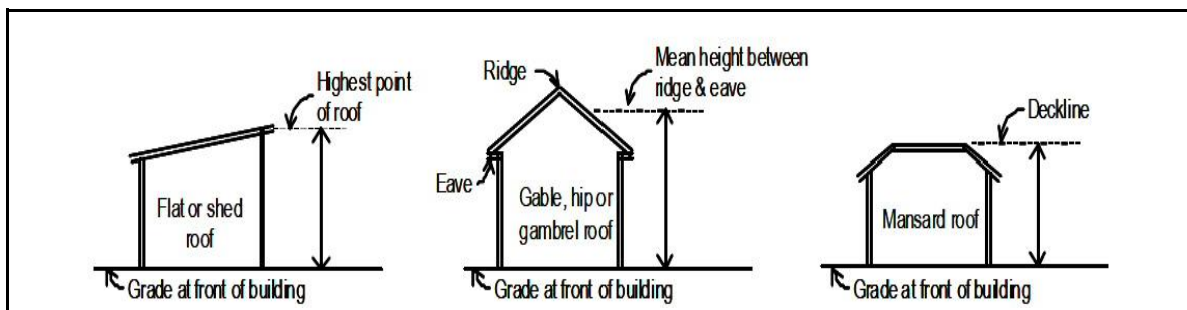
All buildings and structures in any residential district shall comply with the following height regulations:

- (a) The height of principal buildings and structures shall not exceed twenty-five (25) feet.

### 1123.02 DEFINITIONS.

(19) Building height. The vertical distance, measured from the average elevation of the finished grade at the front of the building to the highest point of the roof for a flat roofs; to the declines of mansard roofs; and to the mean height between eaves and ridge for gable, hip and gambrel roofs. Where a building is located on sloping terrain, the height shall be measured from the average finished grade at the building walls. See Figure 1. See Section 1181.01, Supplementary Height Regulations.

**Building Height**



9. **Variance:** To construct a detached garage with a height of 16'-10" vs the 15' that is permitted. Per Section: 1153.09 (b).

### 1153.09 HEIGHT REQUIREMENTS.

All buildings and structures in any residential district shall comply with the following height regulations:

- (a) The height of principal buildings and structures shall not exceed twenty-five (25) feet.
- (b) The height of accessory buildings and structures shall not exceed ten (10) feet, except the height of detached garages shall not exceed twelve (12) feet at the highest point of the structure for a flat roof, and shall not exceed fifteen (15) feet at the highest point of the structure for any other roof that is not a flat roof, notwithstanding the height definition defined in Section 1123.02(b)(19) of this Code.
- (c) Permitted height exceptions are set forth in Section 1181.01, Supplementary Height Regulations. (Ord. 87-17. Passed 12-17-18.)

**10. Variance:** To construct accessory parking directly in front of the dwelling vs accessory off-street parking spaces located in the front yard shall adjoin the driveway between the driveway and the nearest side lot line, provided parking spaces shall not be located directly in front of the dwelling. Per Section: 1153.15 (l)(4)

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

(l) Additional Regulations for Vehicles.

(1) The repainting, rebuilding, overhauling, or dismantling of a vehicle or the storage of tires, motor, body or other parts in an open yard is prohibited on a residential lot.

(2) The overnight parking or the outdoor storage of commercial motor vehicles and commercial trailers is prohibited.

(3) The parking or storing of vehicles shall not be permitted in the established lawn areas of residential lots.

(4) Accessory off-street parking spaces located in the front yard shall adjoin the driveway between the driveway and the nearest side lot line, provided parking spaces shall not be located directly in front of the dwelling.

**11. Variance:** To construct accessory parking on a property that has a front setback of 30' vs accessory parking spaces are prohibited in cases of the setback being thirty-five (35) feet or less. Per Section: 1153.15 (l)(4)B.

**12. Variance:** To construct accessory parking with a width of 18' vs the 8' that is permitted. Per Section: 1153.15 (l)(4)B.

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

(l) Additional Regulations for Vehicles.

(4) Accessory off-street parking spaces located in the front yard shall adjoin the driveway between the driveway and the nearest side lot line, provided parking spaces shall not be located directly in front of the dwelling.

A. Parking areas, including driveways, for single family detached and two family dwellings shall be located not less than three (3) feet from adjoining property lines as provided in Section 1111.09(c)

B. An accessory parking space meeting the standards above shall be no wider than eight (8) feet and no longer than eighteen (18) feet long with a return to the driveway within thirty (30) feet measured from the front of the garage. Accessory parking spaces are prohibited in cases of the setback being thirty five (35) feet or less or where a three (3) car garage is proposed or exists. Refer to drawing 1153.15(l)(4)D. for clarity.

**13. Variance:** To construct a new single-family residence with a detached garage that has a lot coverage of 35.6% 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		

Garage: 600 sf

Covered Porch: 105 sf

Screened Porch: 280 sf

House: 1704 sf

Portico: 36 sf

Porte-Cochere: 258 sf

Total: 2,983 sf / 8,388 sf lot = **35.6%**

House and garage – 2,304 sf (27.5%)