

1. David and Kelly Martens

22711 Briscoe Dr

Variance: To install an ornamental corner side yard fence with a height of 48 inches, vs the 42 inches that is permitted. Per Section: 1153.15 (j)(4).

1153.15 ACCESSORY USES AND STRUCTURES.

(j) Fences, Walls, and Planting Screens. Fences shall comply with Schedule [1153.15](#) and shall be constructed, located, and maintained in conformance with the standards set forth below:

(4) Fences on a Corner Lot Within the Required Corner Side Setback. For lots located on a corner, fences may be located in the required corner side setback provided such fences are located behind the front wall of the principal building and setback five (5) feet from the corner side lot line. **Only ornamental fences shall be permitted within the corner side yard to a maximum height of forty-two inches.** A Zoning Certificate shall be required for a fence in the corner side yard, and such Certificate shall be approved by the Zoning Administrator. The Architectural Review Board is authorized to grant an exception to this sub-section. The Architectural Review Board may grant a complete exception from this standard, or it may modify the standard in view of the peculiarities of the site. The Architectural Review Board may also impose reasonable conditions, such as the planting of landscaping, when approving such an exception. In evaluating a request for an exception, the Review Boards shall consider:

- A. The proposed opacity of the fence;
- B. The proposed height,
- C. The location of the propose fence; and,
- D. Any impacts on adjacent property or the public right-of-way.

2. Robert Kilbane

20715 Stratford Ave

Variance: To construct a second-floor addition with a side setback of 5' vs the 5'-7" that is permitted. Per Schedule: 1153.07 (1)A.

Schedule 1153.07 Minimum Setback Requirements		
	R-1 Single-Family Residential District	R-2 Two-Family Residential District
(1) Side Setback ^(a)		
A. Minimum of any one side	8 feet	8 feet
B. Total side setback	16 feet	16 feet
(2) Rear Setback ^(b)	25 ft.	25 ft.
^(a) For lots of less than sixty (60) feet in width, each side setback shall be not less than one-eighth (1/8) of the width of the lot, but not less than five (5) feet, whichever is greater.		
^(b) The required rear setback, when the parcel is adjacent to Lake Erie, shall be determined by averaging the rear setbacks of the nearest dwellings on either side of the lot, but shall not be less than 25 feet. For the purposes of this Section only, the "property line" along Lake Erie shall be the point where the natural shoreline intersects the ordinary high water elevation as determined by the Ohio Department of Natural Resources, Division of Geological Survey.		

3. **BKB Properties, INC**

21808 Center Ridge Rd

Variance: To provide 26 off-street parking spaces vs the 40 off-street parking spaces that are required. Required parking spaces are determined by the nature of Uses and the associated minimum parking requirement set forth in Schedule 1187.09. The 40 required spaces are after the 20% reduction for shared parking. Per Section: 1187.15 (a).

Schedule 1187.09: Required Off-Street Parking Spaces

Principal Building or Use	Minimum Parking Requirement^(a)
(3) Retail establishment, business or personal service establishment (except as otherwise specified below)	4 spaces per 1000 square feet of floor area
(7) Restaurant - Counter service when located in a shopping center (b)	10 spaces, or 1 space per 50 square feet of floor area, whichever is greater, plus 1 space for each delivery vehicle
(4) Beauty salons and barber shops	2 spaces per beauty or barber chair

1187.15 ALLOWANCE FOR SHARED PARKING.

Two or more uses may share parking facilities without providing the minimum number of on-site required spaces for each use, when parking spaces are provided in compliance with all the requirements of this Section.

(a) The minimum required number of parking spaces for the combined uses may be reduced by twenty (20) percent for shared parking when hours of operation overlap. Residential uses shall not be allowed to share parking facilities.

4. Akron Children's Hospital

20220 Center Ridge Rd

Variance: To replace an existing 8-foot-tall board-on-board fence with an 8-foot-tall privacy fence adjacent to the property lines that abut a residential district. Fences shall not exceed 6 feet in height in the Business District. Per Section: 1167.13 (a)(3).

1167.13 ACCESSORY USE REGULATIONS.

(a) Fences and Walls. Fences and walls may be erected in the Business Districts in compliance with the requirements set forth below.

(1) Location.

A. Fences may be built up to, but not on, the property line, and shall be located entirely on the property of the person constructing it, except property owners, with written permission from abutting property owners, may connect to fences on adjoining properties.

B. In order to maintain clear vision lanes for vehicles and pedestrians, no opaque fences shall be permitted within twenty (20) feet, in any direction, of the following points:

1. At the intersection of a driveway and sidewalk (or front property line if there is no sidewalk);
2. At the intersection of a driveway and public right-of way;
3. At the intersection of any two driveways.

C. All fences shall comply with Section 1181.11, Visibility at Intersections.

(2) Materials and Construction.

A. Approved fencing materials include stone, brick, finished wood, iron, or synthetic look-alike products.

B. No fence shall be electrified or topped with barbed wire.

C. Only ornamental fences shall be permitted in front of a building, unless required for screening pursuant to Chapter 1185, Landscaping & Screening Regulations, or provided for outdoor dining pursuant to Chapter 1167.13 (b).

D. All fences shall be designed, constructed, and finished so that the supporting members face the property of the owner of the fence.

E. All fences on a single parcel shall have a unified style along a single plane and for all fence segments visible from off the premises from any single direction.

(3) Height. No fence shall exceed six (6) feet in height in any rear or side yard, or exceed three (3) feet in height when located in front of a building or in yards abutting a public street right-of-way, unless otherwise required by this Development Code.

5. Rini Brothers, LLC

19245 Detroit Rd

Variance: To install a second wall sign on the south side of the building, vs only one wall sign permitted at this location. Per Section: 1193.05 (a)(1) and (2).

1193.05 COMPUTATION AND RULES OF MEASUREMENT.

The following regulations shall control the computation and measurement of sign area, sign height, window area, and building frontage.

(a) Determining Building Frontage and Building Unit. For the purposes of these sign regulations, the length of the building wall that faces a public street, that faces a public parking lot, or that contains a public entrance to the uses therein shall be considered the building frontage.

(1) The primary frontage shall be the portion of a frontage that serves as the main access point to a building or building unit. A site/building will be considered to have secondary frontage when any of the following site/building characteristics are present:

- A. The subject site is a corner lot;
 - B. The primary parking area is not located adjacent to a public street; and,
 - C. The building or unit has walls with ingress and egress that do not face the public street.
- (2) Each building frontage shall be entitled to the sign area permitted in this Chapter.

6. William and Carol Garvey

3494 Palmer Dr

Variance: To install a 5-foot tall rear yard fence with 0% transparency vs the 25% transparency that is required.
Per Section: 1153.15 (j)(3).

1153.15 ACCESSORY USES AND STRUCTURES.

(j) Fences, Walls, and Planting Screens. Fences shall comply with Schedule [1153.15](#) and shall be constructed, located, and maintained in conformance with the standards set forth below:

(1) Front Yard Fences. In the front yard of interior and corner lots, fences shall have a maximum height of thirty-six (36) inches. Only ornamental fences shall be permitted in the front yard, and the maximum length of any fence segment shall be thirty feet or the width of the front elevation of the house, whichever is less. Such fence segments shall be located no more than twelve (12) feet in front of the dwelling, and this distance shall be measured from the furthest projecting element on the front plane of the dwelling. A Zoning Certificate shall be required for a fence in the front yard, and such Certificate shall be approved by the Zoning Administrator. The Zoning Administrator may refer the application to the Architectural Review Board when, in his/her opinion, the appropriateness of the proposed fence should be judged by the Architectural Review Board.

(2) Side Yard Fences. In the side yard, the maximum fence height shall be five (5) feet, except for chain link fences which shall not exceed four (4) feet in height. Ornamental, board on board, and picket fences are the only types of fences permitted in the side yard, except synthetic covered chain link fences are permitted to abut existing chain link fences, and except as provided for in sub-section [1153.15\(j\)\(7\)](#) below.

(3) Rear Yard Fences. Fences in the rear yard shall not exceed six (6) feet in height, except chain link fences which shall not exceed four (4) feet in height. **Ornamental, board on board, picket fences, synthetic covered chain link fences, or similar fences that are twenty-five percent (25%) transparent regardless of the angle at which the transparency is viewed are the only types of fences permitted in the rear yard,** except as provided for in sub-section [1153.15\(j\)\(7\)](#) below. However, any portion of the fence over five (5) feet in height shall be constructed of materials that are fifty percent (50%) transparent when viewed perpendicular to the fence. The openings of the fence that provide the transparency shall be evenly spaced throughout the vertical surface.

7. **Back Nine Gold**

21633 Center Ridge Rd

Variance: To install window signage that covers 100% of the total window area vs windows signs shall not have a maximum area greater than 20% of the total window area of the space occupied by the occupant, provided that such signs do not cover more than 30% of the window panel to which they are affixed. Per Section 1193.07 (c)(1)A. and B.

1193.07 SIGNS IN OFFICE, BUSINESS, SERVICE, AND MIXED USE DISTRICTS.

(c) Window Sign. These signs shall be in addition to the maximum signable area for building signs pursuant to Schedule 1193.07(a).

(1) Ground Floor Occupants.

A. Permanent window signs, which shall be any window sign displayed for more than thirty (30) days, shall have a maximum area not greater than twenty percent (20%) of the total window area of the space occupied by the occupant.

B. The total area of window signage permitted may be aggregated onto one or more window panels provided that such signs do not cover more than thirty percent (30%) of the window panel to which they are affixed or behind which they are placed.

C. The total area of permanent and temporary window signage shall not exceed twenty-five percent (25%) of the total window area of the space occupied by the occupant.

D. A temporary window sign is to be displayed not more than thirty (30) days. Temporary window signs must be attached to the inside of the window.

E. In addition to such other window signage as may be permitted by this Chapter, each occupant may display one window (1) sign, not to exceed a maximum of one (1) square foot in area, which indicates its hours of operation and one (1) window sign, not to exceed two (2) square feet in area consisting solely of the words "open" or "closed".

8. Suzanne Muyshondt

61 Buckingham Rd

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

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

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

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

Variance: To construct a new single-family home with an egress window that has a 5'-7" side setback vs the 8' that is permitted. Per Schedule: 1153.07 (1)A.

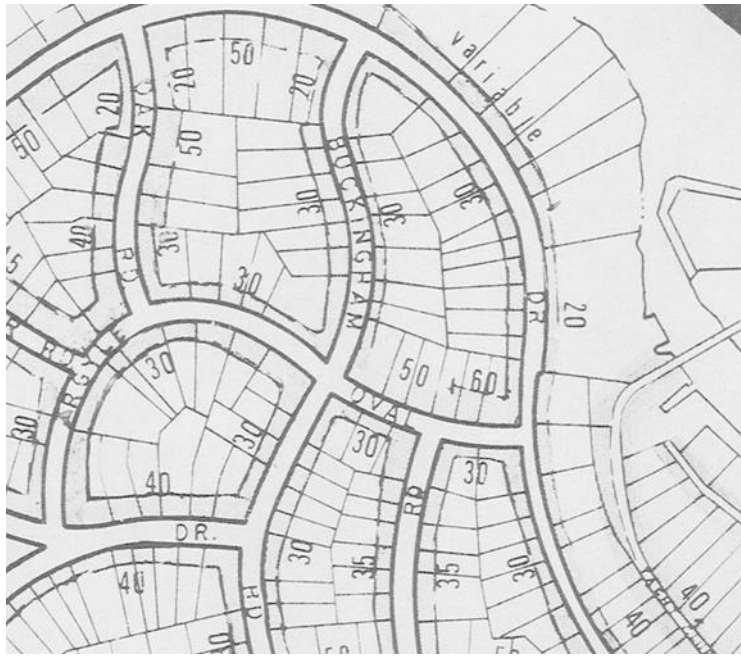
Schedule 1153.07 Minimum Setback Requirements		
	R-1 Single-Family Residential District	R-2 Two-Family Residential District
(1) Side Setback ^(a)		
A. Minimum of any one side	8 feet	8 feet
B. Total side setback	16 feet	16 feet
(2) Rear Setback ^(b)	25 ft.	25 ft.

Variance: To install two air conditioning condensers with side setbacks of 6'-4" and 6'-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.

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



Variance: To construct a new single-family residence with a height of 27'-1" vs the 25' that is permitted. Per Section: 1153.09 (a).

1153.09 HEIGHT REQUIREMENTS.

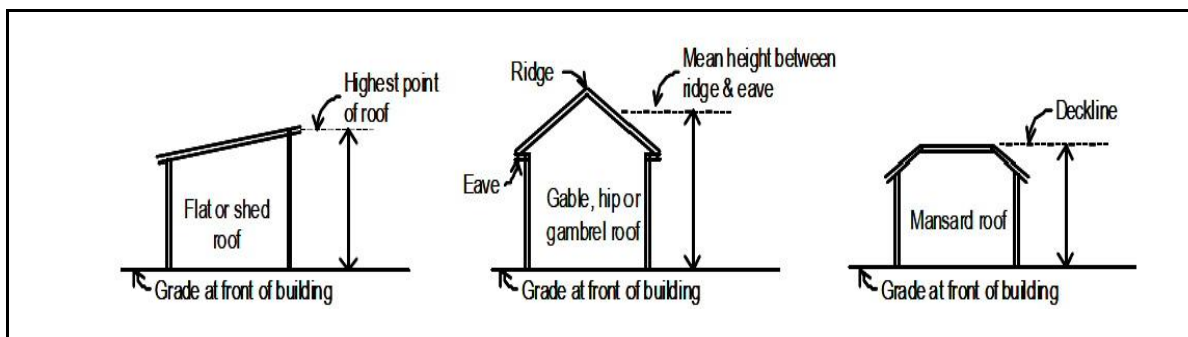
All buildings and structures in any residential district shall comply with the following height regulations:

(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



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.)

Variance: To construct a new single-family residence with a detached garage that has a lot coverage of 35.3% vs the 28% that is permitted. Per Schedule: 1153.05 (3).

Schedule 1153.05 Minimum Lot Requirements		
	R-1 Single-Family Residential District	R-2 Two-Family Residential District
(1) Minimum lot area	10,000 square feet	6000 square feet (b)
(2) Minimum width at building setback line ^(a)	75 feet	60 feet
(3) Maximum lot coverage by building	28%	28%

9. Peter Bergan

314 Northcliff Dr

Variance: To construct a new single-family residence with a height of 28'-9" vs the 25' that is permitted. Per Section: 1153.09 (a).

1153.09 HEIGHT REQUIREMENTS.

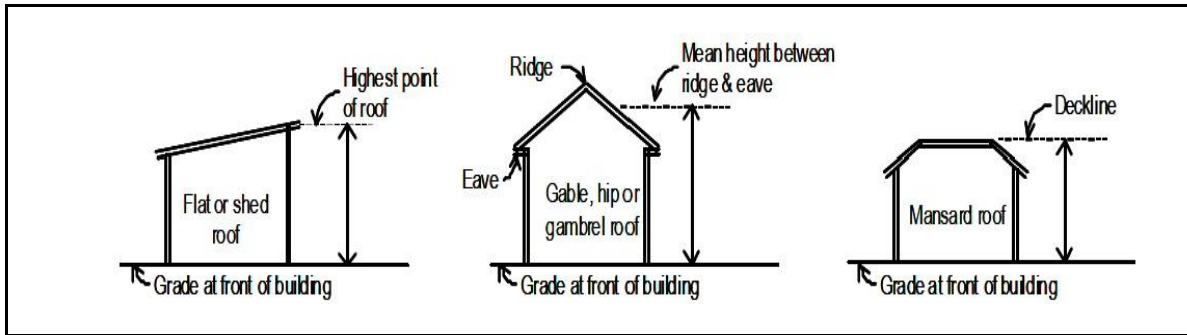
All buildings and structures in any residential district shall comply with the following height regulations:

(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



Variance: To construct a new single-family residence with a side setback of 6'-10" vs the 8' that is permitted. Per Schedule: 1153.07 (1)A.

Variance: To construct a new single-family residence with a rear setback of 22' vs the 25' that is permitted. Per Schedule: 1153.07(2).

Schedule 1153.07 Minimum Setback Requirements		
	R-1 Single-Family Residential District	R-2 Two-Family Residential District
(1) Side Setback ^(a)		
A. Minimum of any one side	8 feet	8 feet
B. Total side setback	16 feet	16 feet
(2) Rear Setback ^(b)	25 ft.	25 ft.

Variance: To construct a new single-family residence with a lot coverage of 33.8% vs the 28% the is permitted. Per Schedule: 1153.05 (3).

Schedule 1153.05 Minimum Lot Requirements		
	R-1 Single-Family Residential District	R-2 Two-Family Residential District
(1) Minimum lot area	10,000 square feet	6000 square feet (b)
(2) Minimum width at building setback line ^(a)	75 feet	60 feet
(3) Maximum lot coverage by building	28%	28%

Variance: To construct a driveway with a width of 21' at its widest vs the 20' that is permitted. Per Section: 1153.15 (1)(4)D.

1153.15 ACCESSORY USES AND STRUCTURES.

(1) 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.

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(1)(4)D. for clarity.

C. Accessory parking spaces in R-1 & R-2 districts will be screened between the property line and parking spaces with evergreen plant material in a manner that so that within four (4) years the vehicle is completely obscured from view.

D. Driveways shall not be less than eight (8) feet or greater than twenty (20) feet in width in R-1 and R-2 Districts except where a three (3)-car garage exists or is proposed the driveway shall not exceed thirty (32) feet in width. Where the building setback is 35' or less a full width driveway is permitted in order to service two (2) and three (3) car garages. In R-1 and R-2 Districts, only one curb cut shall be permitted for any lot, except that two curb cuts shall be permitted for any lot that meets all of the following conditions:

1. The lot width is ninety (90) feet or wider; and,
2. The front setback for the lot is at least fifty (50) feet or greater; and,
3. The proposed turn-around driveway and associated durable edging shall be no greater than twelve (12) feet in total width and,
4. For corner lots, both curb cuts are to be located on the same street.