

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 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>		
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 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 existing house has some non-conforming conditions we would like to maintain.

The house is located on a small corner lot. The existing house and garage has a lot coverage of 35%

Because it is a corner lot, there is a very small back yard. The Owner would like to maintain that as much as possible. The existing home is 17'-10" and 18'-10" from the front property line. We would like to hold that location on the lot.

If we are held to the 25'-0" front yard setback, we would then need a variance to the rear set back.

The existing home is located 5'-6" from the propertyline. Given the narrow lot, we would like the extra distance to have reasonable room sizes on the first floor. The distance from the street will be 17'.

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).

It is a small lot with non-conforming conditions. Any additions to the home would require a variance.

One of the objectives of this project is to provide a first floor primary suite. It is difficult to do that within a smaller footprint

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 front yard setback variance of 6' is approximately 25% and not significant. Because we are maintaining the position of the current house, there is no change in the streetscape.

The 36.5% is a minor change to the existing condition. We are maintaining a bungalow style home so it will not feel massive. We feel these factors combined create a minimum impact variance.

The proposed side yard variance is 18" and minimal. The perception is even less as the right of way contributed to the open space on the lot.

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).

We do not believe this would negatively impact the neighborhood. We are keeping a similar footprint to the existing home. The street has a variety of styles and we feel this matches the architecture and scale of the neighborhood.

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

No

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

No

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

No

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).

It is a small lot with non-conforming conditions. Any additions to the home would require a variance.

One of the objectives of this project is to provide a first floor primary suite. It is difficult to do that within a smaller footprint

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).

Given that this is a corner lot and a small lot the variance requests are minimal and reasonable. The proposed design is of similar size of many typical homes in Rocky River & in this neighborhood. The detail of this new home is consistent with the street and will add value to the neighborhood.

On the corner lot, the front yard variance also allows them to have a useable, semi-private back yard which most other homes enjoy

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.

No, granting the variances will allow them to have the same ability to develop their property as other properties in the neighborhood have.

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.

I think the proposed 2,080 sf 2 story home is a very typical size for the city of Rocky River. I think the 20'x25' garage is a very typical sized garage.

They would like to have the ability to build a similar home, granting these variances would allow that.

The variances we are requesting are similar to the existing non-conforming conditions on site. denying the request would actually reduce the use of the property from their current conditions

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.