

1. Dan Ketterer

22841 Laramie Dr

Variance: To relocate an air conditioning condenser with a side yard setback of 7'-6" 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.

2. Mike Assad

19632 Center Ridge Rd

Variance: To provide 46 off-street parking spaces vs the 61 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 46 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
(1) Business, professional and administrative office (excluding medical and dental)	3 spaces per 1000 square feet of floor area
(4) Commercial recreation, indoor	4 spaces per 1,000 square feet of floor area

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.

3. Jeff and Katherine Lehtinen

21565 Aberdeen Rd

Variance: To construct an attached pavilion with a 6'-2" side setback at its closest vs the 8' that is permitted. Per Schedule: 1153.07 (1)A.

Variance: To construct an attached pavilion with a 1'-8" rear setback at its closest 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.

4. Chris Spencer

22207 Arbor Cliff Ln

Variance: To install a generator with a 7'-9" side setback 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.

5. Michael Klingensmith

19000 Rockcliff Rd

Variance: To install an 8-foot-tall privacy fence vs the 6 feet that is permitted. Per Scheduled: 1153.15 (K)(7)D.

1153.15 ACCESSORY USES AND STRUCTURES.

(7) Privacy Fences. Basket weave, woven, louver, ventilating, stockade, palisade fences, and other fences whose vertical surface is less than twenty-five percent (25%) open to light and air shall comply with the following:

A. Height & Location. Such fences shall have a height not to exceed six (6) feet provided that the fence shall not enclose more than two (2) sides of an area and shall not be located within the front or side setback established for the principal building nor within the rear setback established for an accessory building, except as provided for in sub-sections 1153.15 (j) (7) B. - D. below.

B. Privacy Fences on Rear Yards Adjacent to and Abutting Route I-90. On lot lines contiguous with the easement or right-of-way of I-90, privacy fences whose vertical surface is less than twenty-five percent (25%) open to light and air shall be permitted to a height not to exceed eight (8) feet

C. Privacy Fence on Rear and Side Yards Adjacent to and Abutting the Norfolk Southern Railroad Tracks. On lot lines contiguous with the easement or right-of-way of the Norfolk Southern railroad tracks through the City, privacy fences whose vertical surface is less than twenty-five percent (25%) open to light and air shall be permitted to a height not to exceed eight (8) feet; provided, however, that should such contiguous lot line be a side lot line, such privacy fence may not extend on such lot line beyond any front setback line which may exist as the regulations thereon are contained in these Codified Ordinances.

D. Privacy Fence Adjacent to Other Districts. Privacy fences shall be permitted to a height of (6) feet along the side and rear lot lines of lots in the R-1 District which abut a zoning district other than R-1, provided that such privacy fences shall not extend closer to any public right-of-way than the front wall of the main building.

6. Maureen Murman

19010 Rockcliff Rd

Variance: To install an 8-foot-tall privacy fence vs the 6 feet that is permitted. Per Scheduled: 1153.15 (K)(7)D.

1153.15 ACCESSORY USES AND STRUCTURES.

(7) Privacy Fences. Basket weave, woven, louver, ventilating, stockade, palisade fences, and other fences whose vertical surface is less than twenty-five percent (25%) open to light and air shall comply with the following:

A. Height & Location. Such fences shall have a height not to exceed six (6) feet provided that the fence shall not enclose more than two (2) sides of an area and shall not be located within the front or side setback established for the principal building nor within the rear setback established for an accessory building, except as provided for in sub-sections 1153.15 (j) (7) B. - D. below.

B. Privacy Fences on Rear Yards Adjacent to and Abutting Route I-90. On lot lines contiguous with the easement or right-of-way of I-90, privacy fences whose vertical surface is less than twenty-five percent (25%) open to light and air shall be permitted to a height not to exceed eight (8) feet

C. Privacy Fence on Rear and Side Yards Adjacent to and Abutting the Norfolk Southern Railroad Tracks. On lot lines contiguous with the easement or right-of-way of the Norfolk Southern railroad tracks through the City, privacy fences whose vertical surface is less than twenty-five percent (25%) open to light and air shall be permitted to a height not to exceed eight (8) feet; provided, however, that should such contiguous lot line be a side lot line, such privacy fence may not extend on such lot line beyond any front setback line which may exist as the regulations thereon are contained in these Codified Ordinances.

D. Privacy Fence Adjacent to Other Districts. Privacy fences shall be permitted to a height of (6) feet along the side and rear lot lines of lots in the R-1 District which abut a zoning district other than R-1, provided that such privacy fences shall not extend closer to any public right-of-way than the front wall of the main building.

7. Mark Reichard

22780 Lake Rd

Variance: To install pool equipment with a 5' side setback vs the 10' that is permitted. Per Section: 1153.15 (k).

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.

8. Raymond and Lisa Polantz

2798 W. Asplin Dr

Variance: To install a 6-foot-tall shadowbox rear yard fence vs 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. 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.

9. Jeanne Conway

20762 Beach Cliff Blvd

Variance: To install an accessory off-street parking space 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).

Variance: To install an accessory off-street parking space that is 16' wide vs the 8' that is permitted. Per Section: 1153.15 (l)(4)B.

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.

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.

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.

10. Brice Wolverton

22670 Detroit Rd

Variance: To install an accessory off-street parking space that is 16' wide vs the 8' that is permitted. Per Section: 1153.15 (I)(4)B.

Variance: To install a turnaround driveway with two curb cuts on a lot that has a front setback of 42'-6" vs two curb cuts shall be permitted for a lot with a front setback that is at least fifty (50) feet or greater. Per Section: 1153.15 (I)D.

1153.15 ACCESSORY USES AND STRUCTURES.

(I) 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(I)(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.

11. Keith and Anjanette Whitman

19451 Telbir Ave

Variance: To construct a new two-story single-family residence with a lot coverage of 38.1% 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%

Variance: To construct a new two-story single-family residence with a corner side setback of 5' vs the required 7' setback as shown on the setback map, City of Rocky River, May 12, 1975. Per Section: 1153.07 (a).



12. Gregg Mylett

19444 Detroit Rd

Appeal to the Board of Zoning and Building Appeals pursuant to Section 1133.03 of the Rocky River Codified Ordinances. The applicant has appealed the decision of the Zoning Administrator/Building Commissioner denying a permit application to remove an existing commercial driveway located at 19444 DETROIT RD. The Board will consider the appeal of the Zoning Administrator/Building Commissioner's decision to deny the permit application and will affirm, modify, or reverse the decision as authorized by the Rocky River Codified Ordinances.

1133.01 APPEALS TO THE BOARD OF ZONING AND BUILDING APPEALS.

Appeals to the Board of Appeals concerning interpretation or administration of the Development Code may be taken by any person aggrieved by a decision of the Zoning Administrator or by any officer or head of any department or division of the City affected by any decision of the Zoning Administrator. Such appeals shall be taken within twenty-one (21) days after receipt of such decision by filing with the Zoning Administrator and with the Board of Appeals, a notice of appeal specifying the grounds upon which the appeal is being taken. The Zoning Administrator shall transmit to the Board of Appeals all the papers constituting the record upon which the action appealed from was taken.