

SIGNS: (Complete Sign Permit Application)		
• Area allowed (maximum sq. ft.)	•	(Area) Practical Difficulties
• Height	•	(Area) Practical Difficulties
• Front setback	•	(Area) Practical Difficulties
• Lot width <100'	•	(Area) Practical Difficulties
• Number of items of information	•	(Area) Practical Difficulties
• On side of building	•	(Area) Practical Difficulties
FENCES: (Complete Fence Permit Application)		
• Height or Openness	•	(Area) Practical Difficulties
• Front Yard (in setback)	•	(Area) Practical Difficulties
ACCESSORY BUILDINGS (Play Structures, Storage Sheds: (Complete Accessory Structure Permit Application); Detached Garages. (Complete Building Permit Application) <i>Note: Total square footage of all accessory buildings, including detached garages, is not to exceed 600 square feet.</i>		
• Height	•	(Area) Practical Difficulties
• Setback from property line	•	(Area) Practical Difficulties
• Square footage	•	(Area) Practical Difficulties
Air Conditioners and Generators: (Complete HVAC Permit for A/C or Electrical Permit for Generators)		
• In side yard <10' from property line or in front yard	•	(Area) Practical Difficulties
Parking: (Complete Building Permit Application)		
• < the number of spaces required	•	(Area) Practical Difficulties
• Setback from property line	•	(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).

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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).

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SAFETY REASON! FOR MOTHER-IN-LAW

from Code requirements, i.e., coverage is 1 or 2% above Code, or setback is 1 or 2 feet less than Code requirement)

- 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)

— IMPROVE SAFETY OF ADJOINING PROPERTIES.

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

— ZERO EFFECT SINCE THE FENCE IS IN BACKYARD!

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

— PROPERTY OWNER IS AWARE FOR SPECIAL VARIANCE REQUIREMENT!

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

— MOTHER - IN - LAW DEMENTIA!

- 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)

— NONE

- 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)

— SAFETY OF ADJOINING PROPERTIES.

- 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

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- 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

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.

UNNECESSARY HARDSHIP STANDARD

ONLY ANSWER THESE QUESTIONS IF YOU ARE REQUESTING A VARIANCE FOR ANY FUNCTIONAL, LAND OR BUILDING USE NOT SPECIFICALLY PERMITTED IN EITHER A PARTICULAR ZONING DISTRICT, OR OTHERWISE NOT PERMITTED BY THE DEVELOPMENT CODE. (See Typical Variance Sheet for guidance.)

ALL QUESTIONS REQUIRE A COMPLETE RESPONSE

In order to grant a use variance, the Board of Appeals shall determine that strict compliance with the terms of this Code will result in unnecessary hardship to the applicant. THE APPLICANT MUST DEMONSTRATE SUCH HARDSHIP BY CLEAR AND CONVINCING EVIDENCE that the criteria in Rocky River Codified Ordinances, sub-section 1133.17(c)(2) is satisfied

R.R.C.O. Chapter 1133.17(c)(2)A. Please demonstrate hardship with the following

- i.) Explain how the variance requested stems from a condition that is UNIQUE TO THE PROPERTY AT ISSUE and not ordinarily found in the same zone or district (i.e., topographical or geological limitations, unique structure of original building, etc.)

- MOTHER-IN-LAW HAS DEMENTIA!!
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- ii.) Explain how the granting of the variance will not have any material adverse effect on the rights of adjacent property owners or residents.

- FENCE MATERIAL HAS NO NEGATIVE EFFECT ON
- NEIGHBOURLING PROPERTIES.
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- iii.) Explain how the granting of the variance will not have any material adverse effect on the public health, safety or general welfare of the City of Rocky River.

- FENCE MATERIAL HAS NO NEGATIVE EFFECT ON
- NEIGHBOURLING PROPERTIES!
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- iv.) Explain how the variance will be consistent with the general spirit and intent of the Code

- FENCE IN THE BACKYARD WILL BE
- CONSISTENT LOOKING.
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R.R.C.O. Chapter 1133.17(c)(2)B. If applicable, explain what further evidence you would like the Board of Appeals to consider, as follows

1) Whether the property cannot be put to any economically viable use under any of the permitted uses in the zoning district in which the property is located

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11) Whether, and to the extent to which (if applicable), the hardship condition is not created by actions of the applicant.

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