



City of North Royalton

Mayor Larry Antoskiewicz

Board of Zoning Appeals

Dan Kulchytsky Building Commissioner

BZA21-20

PUBLIC HEARING LEGAL NOTICE

Pursuant to Section 1264.05 of the City of North Royalton Zoning Code, **Notice** is hereby given that the **Board of Zoning Appeals** of the City of North Royalton, Ohio, will hold a public hearing on Thursday, **August 26, 2021** at 7:00 p.m. local time in the Council Chambers at City Hall, 14600 State Road.

The Public Hearing will be heard on the question of granting a variance to **Chapter 1270 "Residential Districts"**, of the City of North Royalton Zoning Code. Request is being made by Kyle and Patrice Gilmore for a proposed addition to a dwelling at **5760 Goodman Drive**, also known as PPN: 488-04-031, in Residential (R1-B) District zoning. The variance being requested is as follows:

Variance: Codified Ordinance Section 1270.05 "Schedule of area, yard and height regulations". Request is for a variance of 48 ft. less than the minimum 50 ft. rear yard setback requirement in order to construct an addition on the back of existing dwelling. The proposed addition would be 2 ft. off the rear property line. A previous variance of 20 ft. was granted at the time of construction.

Hearings for each variance will be taken in order as set forth in agenda. Hearings generally take approximately ten (10) minutes. All applicants and anyone wishing to be heard on a variance request should be present at the start of the meeting. Plans and specifications and other documentation are on file at the Building Division, City of North Royalton Service Center, 11545 Royalton Road, for review by interested parties.

You can view the meeting live by entering the following link on your phone or computer or you may attend the meeting in person at North Royalton City Hall.

Link: <https://us06web.zoom.us/j/83700971670?pwd=b2FXZ2FOeXBtMmEveHk2TUJrb1J5dz09>

If you would like to be heard on the subject of this application but do not wish to attend the meeting in person, please fill out and submit the attached Public Hearing form with any documents or photographs and return it to the Building Department no later than August 23rd at 12:00 p.m. local time. PLEASE NOTE: THE PUBLIC HEARING FORM MUST BE NOTARIZED IN ORDER TO BE READ INTO THE RECORD.

BOARD OF ZONING APPEALS
NORTH ROYALTON, OHIO

Diane Veverka
Board of Zoning Appeals Secretary
City of North Royalton, Ohio

BZA21-20: 8.12.21

FILE COPY



City of North Royalton

Mayor Larry Antoskiewicz

Community Development, Building Division

Dan Kulchytsky Building Commissioner

11545 Royalton Road, North Royalton, OH 44133

Phone: 440-582-3001

Fax: 440-582-3089



CITY OF NORTH ROYALTON BOARD OF ZONING APPEALS APPLICATION

1. This request is made for the following property:

Address: 5760 Goodman Dr. Occupant: Occupant
PPN: 488-4-31 Zoning District: R1-B Ward No.:
Permanent Parcel Number

HOA Name:
Letter of Approval Rec'd: Yes or No
Letter of Denial Rec'd: Yes or No

2. Property Owner:

Name: Kyle & Patrice Gilmore Name of Business (if applicable):
Address: 5760 Goodman Dr. Phone: 440-591-8780 440-591-8780
City, State and Postal Code: North Royalton, OH 44133 Email (electronic mail): Kylehappy1@aol.com

3. This request is being made by the following responsible party (Owner / Authorized Representative):

Name: Kyle Gilmore Name of Business (if applicable):
Address: 5760 Goodman Dr. Phone: 440-591-8780
City, State and Postal Code: North Royalton, OH 44133 Email (electronic mail): Kylehappy1@aol.com

For Office Use Only

Date Application Submitted: 7-26-21 Meeting Date Assigned: 8-26-21
Application Fee: \$ 75.00 Identification Number Assigned: BZA 21--
Payment Information (date, check number, cash, etc.): cb #1291 Application Fee Received by: (signature)

Other Application Fee Information

CITY OF NORTH ROYALTON BOARD OF ZONING APPEALS APPLICATION

4. Board of Zoning Appeals review: (please check all that apply)

Type of Variance (please designate the type of variance you are seeking):

☒ Area Variance NRO 1264.08(e)(1) – complete sections 5, 6, 7 and questions relative to area variances

☐ Use Variance NRO 1264.08(e)(2) – complete sections 5, 6, 7 and questions relative to use variance

☐ Riparian and/or Wetland Setback Variance NRO 1492.11 – complete sections 5, 6, 7 and questions relative to riparian setback and complete waiver

☐ Administrative Appeal NRO 1264.04 – complete Notice of Appeal (pg. 13)

5. Narrative statement establishing and substantiating the justification for the variance pursuant to Section 1264.08(e) – reason the variance is needed.

Parents, aged 81 & 87 moved in with us, requiring a handicap accessible bathroom, bedroom that allows space for a walker and/or wheelchair. The house as it currently is, is not ammenable to this.

6. Description or the nature of the variance(s) requested and the corresponding Section(s) from the City of North Royalton Code of Ordinances.

I am seeking a 28 foot^{rear yard} variance for relief of the 30 foot restriction. The variance is to CO #1270.05

A variance which was approved when home was built. - Nov. 24, 1984

The Board of Zoning Appeals or its agent(s) is hereby authorized to enter upon the property for which this variance is sought, without further notification, to inspect said property. Any such inspection shall be conducted between the hours of 9 a.m. and 5 p.m. on any day of the week, including weekends.

I further understand that any misrepresentation of data or facts or violations of the Ordinances of the City of North Royalton are cause for refusal, suspension or revocation of this license if issued.

Kyle Gilmore / Kyle Gilmore 7-24-21
Applicant Signature, Printed Name and Title Date

Patrice Gilmore / Patrice Gilmore 7-24-21
Property Owner Signature, Printed Name and Title Date

CITY OF NORTH ROYALTON BOARD OF ZONING APPEALS APPLICATION

7. Written Authority Form (complete this form if you are unable to be present at meeting).
(submit original – do not fax or email)

I, K (name) of _____
(company, if applicable), hereby certify that I/we are the _____
(owner(s), executor(s), etc.) of _____ (property address or
permanent parcel number) and further verify that _____ (name
of representative) is authorized to represent my/our interests and make decisions on my/our behalf
when appearing before the North Royalton Board of Zoning Appeals.

Signature Date

Before me, a Notary Public in and for said county, personally appeared _____
who acknowledged that he or she did sign the foregoing instrument and the same is his or her free
act and deed.

In testimony whereof I have hereunto set my hand and official seal at _____,
Ohio on this _____ day of _____, 20____

Notary Signature

Seal:

State of Ohio
County of Cuyahoga

CITY OF NORTH ROYALTON BOARD OF ZONING APPEALS APPLICATION

QUESTIONS RELATIVE TO AREA VARIANCES

Address of subject property: 5760 Goodman Dr. North Royalton

The Board of Zoning Appeals shall review each request for a variance to determine if such request complies with the purpose and intent of this Zoning Code and the Master Plan, and the applicant can demonstrate that the literal enforcement of this Code will result in practical difficulty or, in the case of a use variance, unnecessary hardship.

The following factors shall be considered and weighed by the Board in determining practical difficulty:

(Please provide any relevant responsive information, including sketches, drawings, photographs or other exhibits.)

A. Whether there can be any beneficial use of the property without the variance;

Yes, however the home as is, will not be
handicap accessible

B. Whether the variance is substantial or is the minimum necessary to make possible the reasonable use of the land or structure;

substantial Yes, The property received approval of a rear yard
variance when it was built in 1986. The addition would
require an additional variance

C. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance;

NO

D. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage collection);

NO

E. Whether the variance sought is for relief from a zoning provision which was enacted after the creation of an existing condition or circumstance to the property in question;

NO

F. Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same Zoning District; examples of such special conditions or circumstances are: exceptional irregularity, narrowness, shallowness or steepness of the lot or adjacency to nonconforming and inharmonious uses, structures or conditions;

Yes. The street cuts into the front of the property. It is the only property on Goodman Dr. that this occurs on. It shortens the property & a variance was granted/approved in 1986 for the rear property line

G. Whether the property owner's predicament feasibly can be obviated through some method other than a variance;

No. Doorways in the house are not wide enough to maneuver a wheel chair if needed. The bathrooms are smaller, I cannot fit a walker, the guest bath barely fits a walker & would not fit a wheel chair

H. Whether the granting of the variance will create a nonconforming lot pursuant to Section 1270.16 of the Zoning Code;

The lot is already a Legal Nonconforming lot, as a variance was permitted in 1986. This would not change.

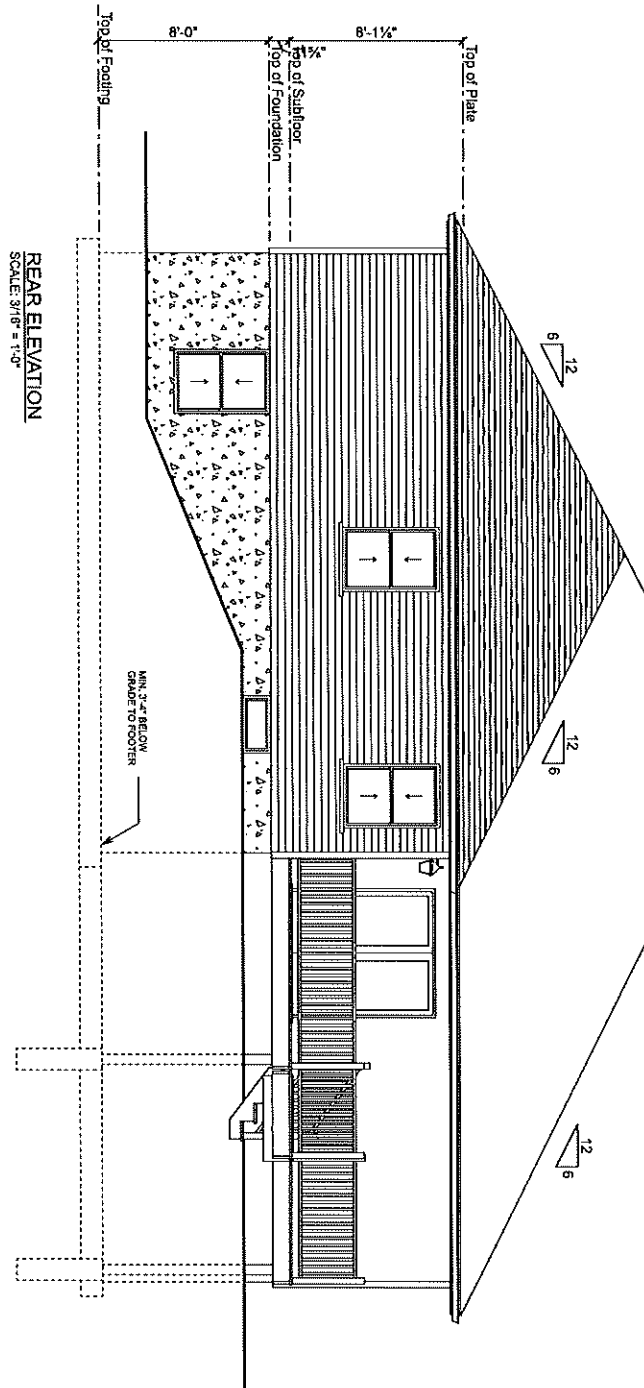
I. Whether special conditions or circumstances exist as a result of actions of the owner;

Previous owners had a pool and a play yard built, that made it appear as if the yard/rear property extended as far the addition was to extend.

J. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance.

Yes.

(I) Attached Pictures I Meghann have sheds up to the property line. This area was never used since house was built. Our Realtor said our property went up to the Pear Tree in the rear. That's why we did our original plan, which was approved by the city and permit to start to build was issued.



NEIL
CONSTRUCTION
CO., INC.
221 SOUTH MAIN ST.
HUDSON, OH 44236

GILMORE REMODEL
5760 GOODMAN DRV
NORTH ROYALTON

OH 44133

These drawings are for design purposes only. Responsibility for construction rests with contractor. All dimensions are approximate and may vary due to construction and architectural variations. All symbols shown are representations. All elevation views are the drafter's concept and may vary. Builder shall make any necessary field adjustments that may be required.

SCALE:

DRAWN BY

RFB

DRAWING:

Elevations A

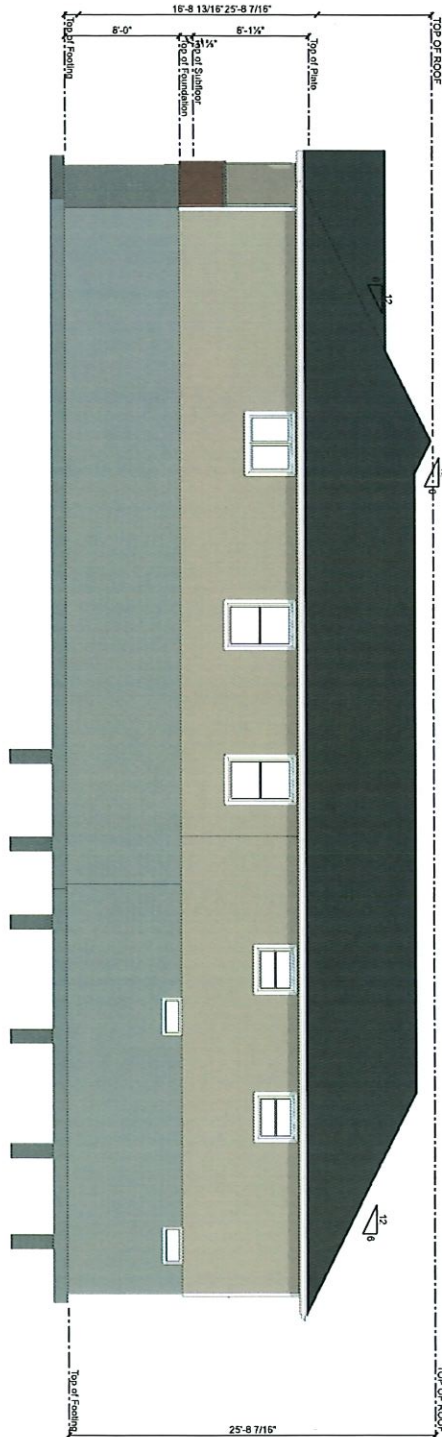
DATE PRINTED:
1/2/2021

REVISED
1/2/2021

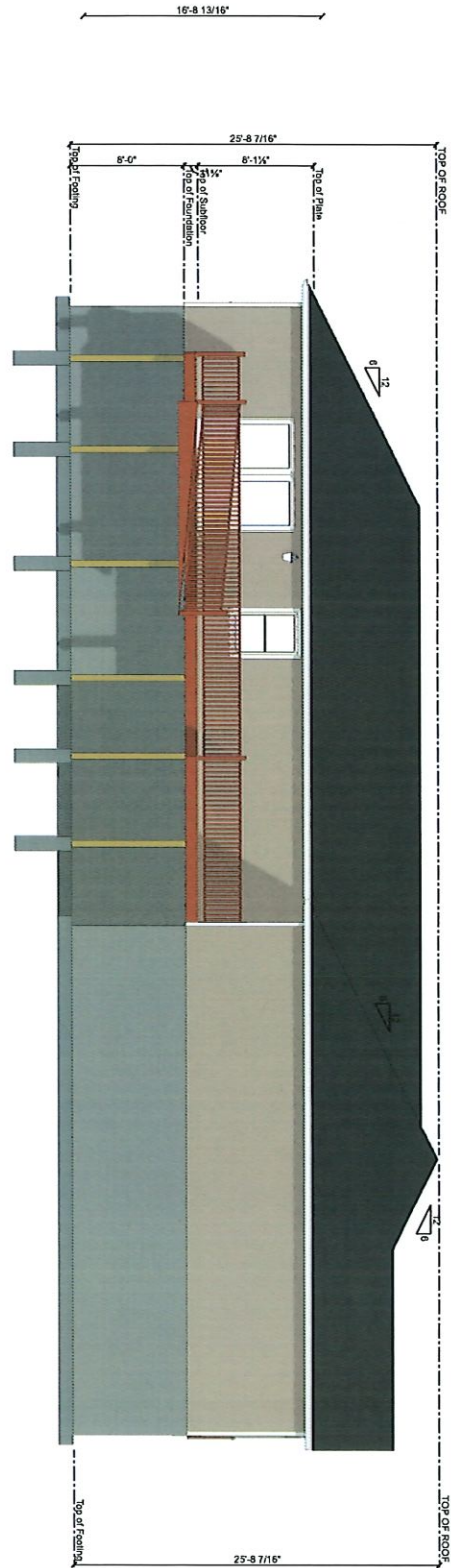
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PG 3 OF 3

RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



LEFT ELEVATION
SCALE: 1/8" = 1'-0"



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GILMORE REMODEL
5160 GOODMAN DRV
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SCALE:	DATE PRINTED: 1/2/2021
DRAWN BY RFB	REVISED 1/2/2021
DRAWING: Elevations B	

4

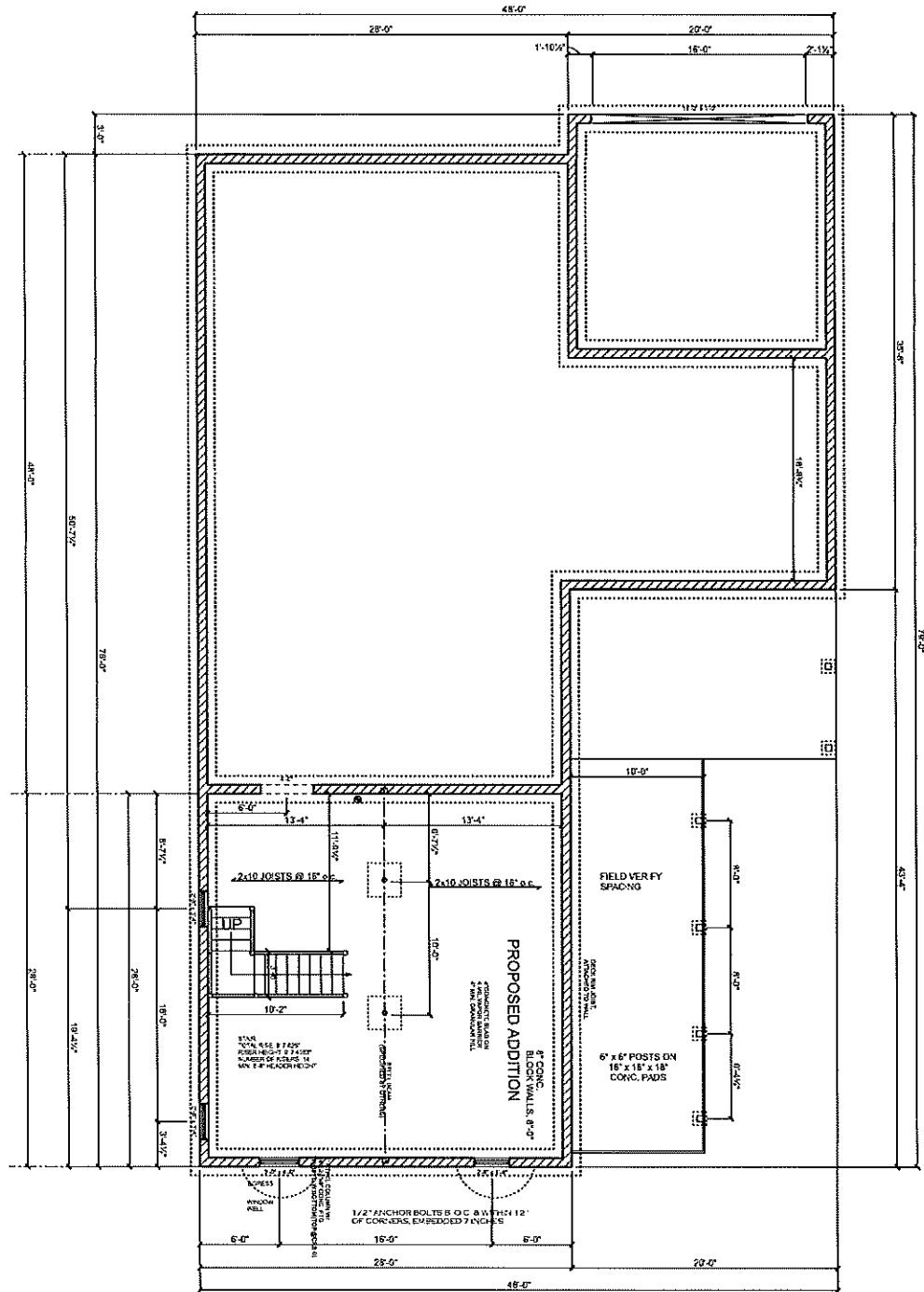
PG #4 OF 9

FOUNDATION-PROPOSED

EXISTING

PROPOSED

SCALE: 1/8" = 1'-0"



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GILMORE REMODEL
5160 GOODMAN DRV
NORTH ROYALTON

OH 44133

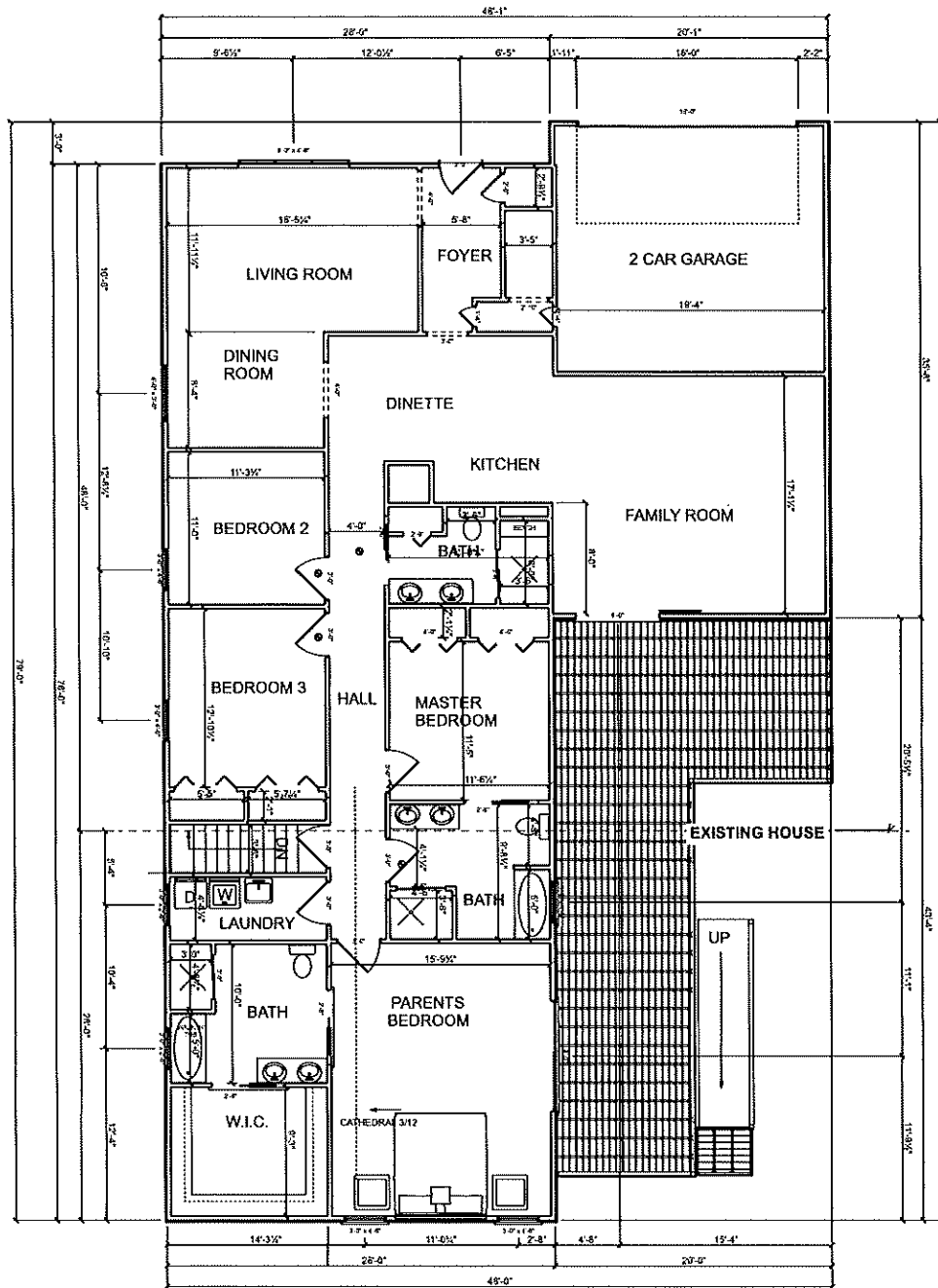
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SCALE:	DATE PRINTED: 1/2/2021
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DRAWING: Foundation	

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MAIN FLOOR REMODEL-F
SCALE: 1/8" = 1'-0"



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CO., INC.
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HUDSON, OH 44236

GILMORE REMODEL
5760 GOODMAN DRV
NORTH ROYALTON

OH 44133

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SCALE:

DRAWN BY

RFB

DRAWING:

Main Floor Plan

DATE PRINTED:
1/2/2021

REVISED
1/2/2021

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PG #6 OF 9









