



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



CITY OF NORTH ROYALTON BOARD OF ZONING APPEALS APPLICATION

1. This request is made for the following property:

19924 Ridge Road

Address

Occupant, Business or Tenant (if applicable)

PPN: 485-26-016

Permanent Parcel Number

Zoning District Ward No.

HOA Name: _____

Letter of Approval Rec'd: Yes or No

Letter of Denial Rec'd: Yes or No

2. Property Owner:

Dominic & Loretta Picione

Name

Name of Business (if applicable)

19924 Ridge Road

Address

Phone

NORTH Royalton OH 44133

City, State and Postal Code

LPicione@aol.com

Email (electronic mail)

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

Dominic & Loretta Picione

Name

Name of Business (if applicable)

19924 Ridge Road

Address

440-390-1197

Phone

NORTH Royalton, OH 44133

City, State and Postal Code

LPicione@aol.com

Email (electronic mail)

For Office Use Only

1.25.2022

Date Application Submitted

2.24.2022

Meeting Date Assigned

\$ 75.00

Application Fee

BZA22--02

Identification Number Assigned

1.24.22/5351

Payment Information (date, check number, cash, etc.)

Application Fee Received by

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:

- ☐ 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.

We are requesting that in place of a 4 ft Fence around our pool (to be built) that a locking automatic pool cover take the place of that fence.

20x40 inground pool

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

Pool will have an auto locking cover that is child, pet and wildlife proof. The cover can hold several people walking on it as well as hold the weight of a vehicle. These covers have proven to be safer than a fence. A fence that can be easily broken into, or jumped over. The pool cover can only be unlocked via a keypad by the owner.

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.

Loretta Picione *Loretta Picione*
Dominic Picione *Dominic Picione* 1-24-2022
Applicant Signature, Printed Name and Title Date
Loretta Picione *Loretta Picione*
Dominic Picione *Dominic Picione* 1-24-2022
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, _____ (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: 19924 Ridge Road

The Board of Zoning Appeals shall review each request for a variance that does not comply with the purpose and intent of this Zoning Code and the Map Amendment shall demonstrate that the literal enforcement of this Code will result in practical difficulties, a use variance, unnecessary hardship.

SEE
Attached
Notes

The following factors shall be considered and weighed by the Board in its decision:

(Please provide any relevant responsive information, including sketches and other exhibits.)

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

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

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;

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

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;

- 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;

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

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

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

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

CITY OF NORTH ROYALTON BOARD OF ZONING APPEALS
NOTICE OF APPEAL FORM*

Date: 1-24-2022

Name (Appellant): Loretta & Dominic Picicave

Address: 19924 Ridge Road North Royalton OH 44133

Telephone number: 440-390-1197

Date of notice, order or decision appealed: _____, 20____.

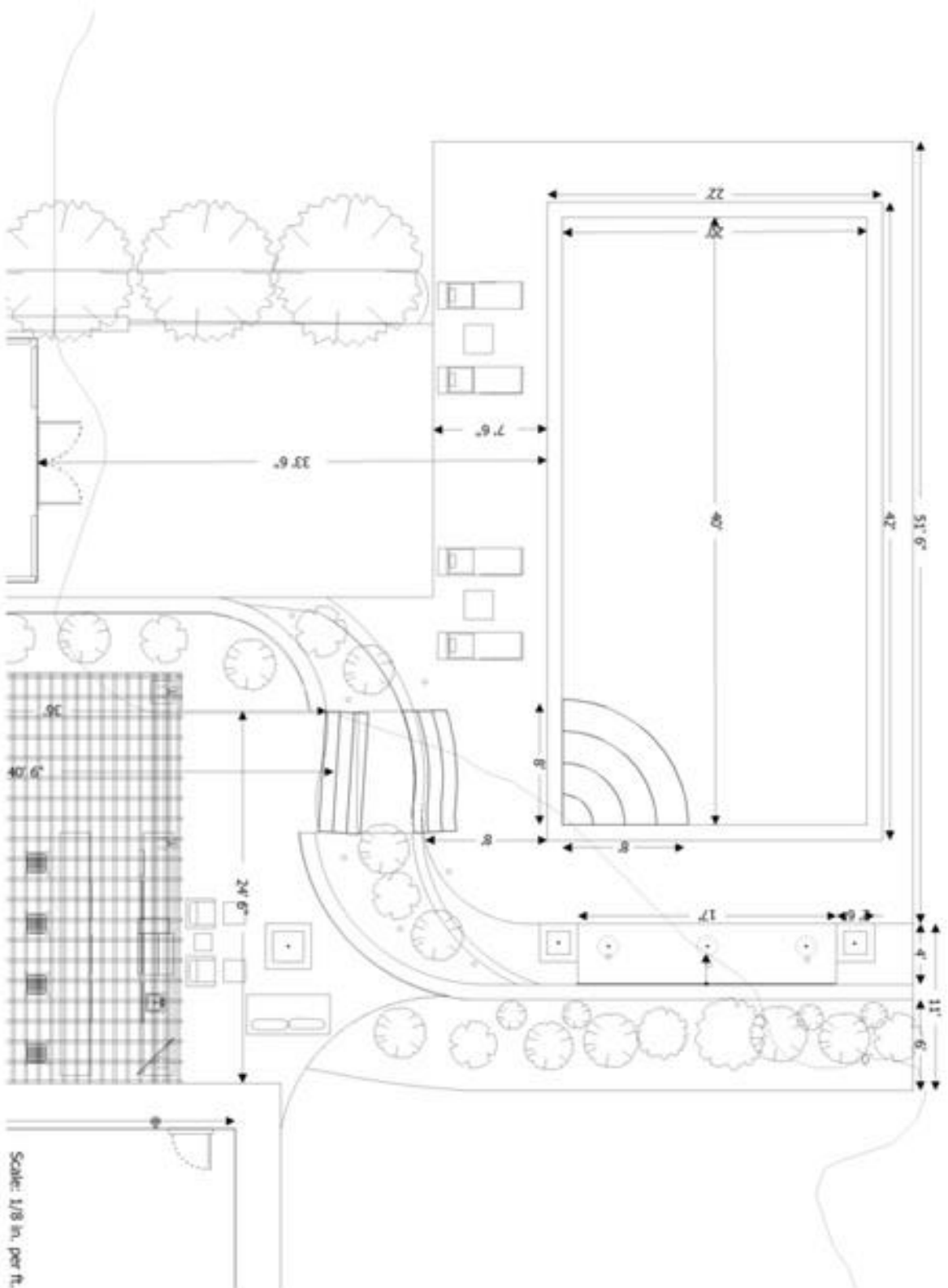
Copy of notice, order or decision attached as Exhibit _____. If unable to attach, please state the decision or section of Zoning Code from which the appeal is sought:

State error or grounds supporting appeal: seeking a Fence Variance

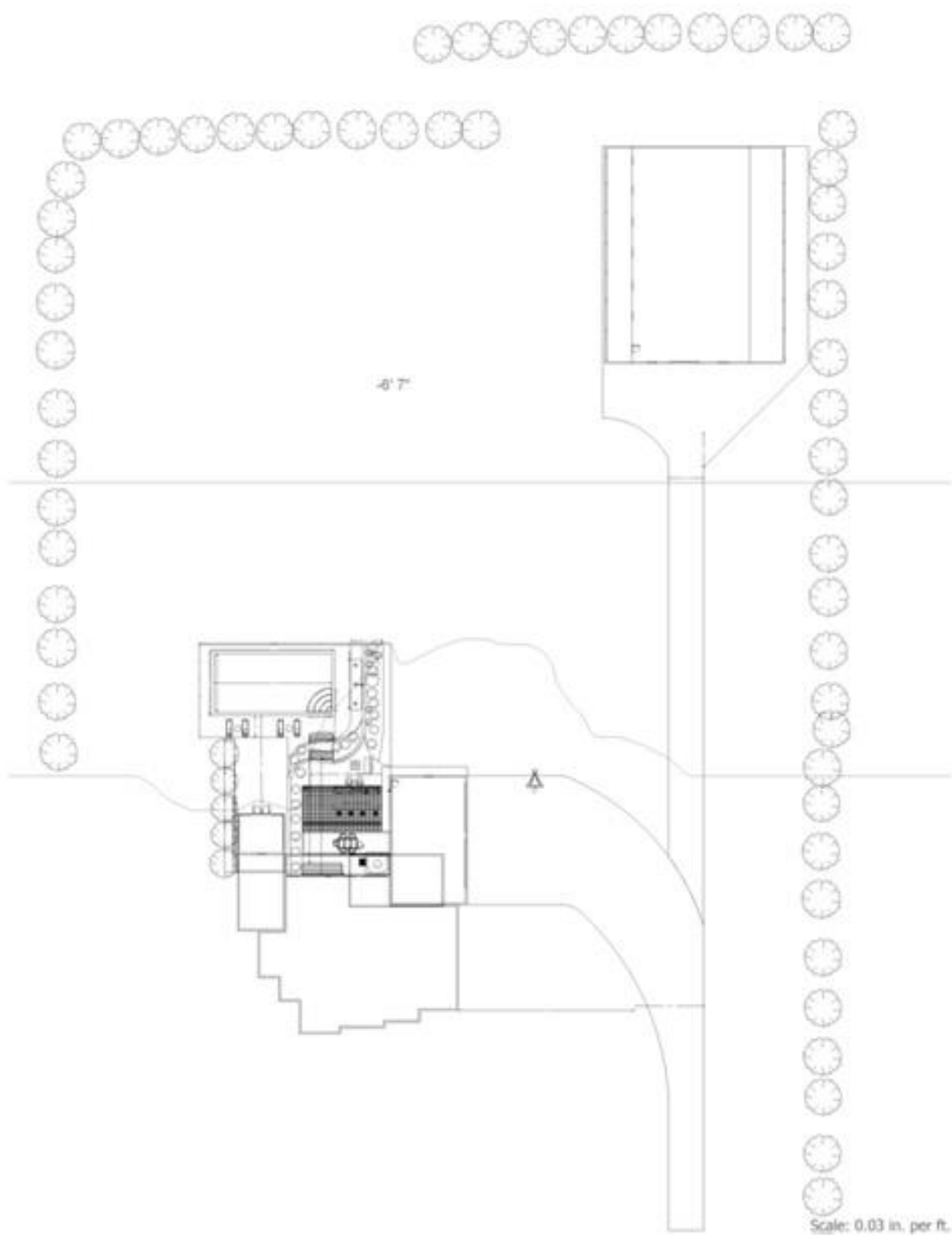
To be completed by office of Building Commissioner:

Date appeal filed: _____

*Appellant may submit any timely notice of appeal which includes the decision appealed, the error alleged and all necessary data.



Scale: 1/8 in. per ft.



Fence Variance Notes



- Access to the home is on a private road, not a city street. Home is not in an association or neighborhood
- Front of property is gated with a door controlled by code
- Rear of property backs up to a natural river barrier and trees
- Both sides of the property are lined with natural evergreen tree barrier and 2880 sq ft outbuilding
- Pool will also be blocked by the residence and retaining walls
- 3 acre parcel
- Over 130 feet to nearest parcel and over 385 feet to the nearest residence (see maps)
- North Royalton's codes and ordinances state that the building commissioner may permit other protective devices or structures to be used so long as the degree of protection afforded by the substitute devices or structures is not less than the protection afforded by a fence.
- Many other cities and townships allow for an automatic cover to take the place of a fence, since it is safer than a fence that can be circumvented easier. Strongsville is a neighboring community that permits an autocover to replace the need for a fence.
- There are a number of residential ponds and other natural waterways on residential parcels or bordering the parcels that do not require fencing, including a pond that is located on our private drive on a neighbor's lot. Ponds and waterways are less safe than a pool with an automated cover and the front gate, building structures and natural barriers mentioned
- Pool will have an automated, locking cover that is child, pet and wild-life proof. The pool cover material can withstand the weight of an automobile. Safer than a fence or alarm that can be circumvented. The cover would have a key code. (see safety info from pool cover website)
- The cover completely seals the pool from any access, prevents a dangerous amount of water from collecting on top of the cover. Serves as a horizontal fence and deters curious children from entering the property and the pool because it is fully sealed and unable to be accessed

1482.06 FENCES AND GATES.

(a) Each private pool shall be completely surrounded by a fence not less than four feet in height, which fence, if not of solid construction, shall be constructed so that the horizontal members or vertical members are not spaced more than four inches apart, the lowest strand of which shall not extend above the ground more than three inches. The fence shall be a residential type fence constructed either of wood or metal, or a combination of the same. A building or existing wall may be used as part of such enclosure. No building or existing wall shall be closer to the pool edge than fifteen feet.

(Ord. 1989-119. Passed 7-17-89; Ord. 05-107. Passed 7-5-05.)

(b) All gates or doors opening into such enclosure shall be designed to permit locking and shall be kept locked when the pool is not in actual use or is left unattended. This provision shall not apply if the entire parcel on which the pool is located is provided with such a fence and gate.

(c) The Building Commissioner may make modifications in individual cases upon a showing of good cause with respect to the height, nature or location of the fence, gates or latches, or the necessity therefor, provided the protection as sought hereunder is not reduced thereby. The Building Commissioner may permit other protective devices or structures to be used so long as the degree of protection afforded by the substitute devices or structures is not less than the protection afforded by the wall, fence, gate and latch described herein.

(d) Any ladders, steps or other devices used for entering and leaving a portable pool shall be moved to a safe distance from the pool when the pool is not in use or when a responsible person is not in attendance. Six feet shall be considered a safe distance from the pool.

(Ord. 1970-102. Passed 5-6-70; Ord. 02-142. Passed 10-1-02.)

Safety Benefits of Pool Covers

Coverstar automatic pool covers offer a number of safety benefits to give parents and pool owners peace of mind. Learn more about how a pool cover can help you enjoy worry-free pool ownership.

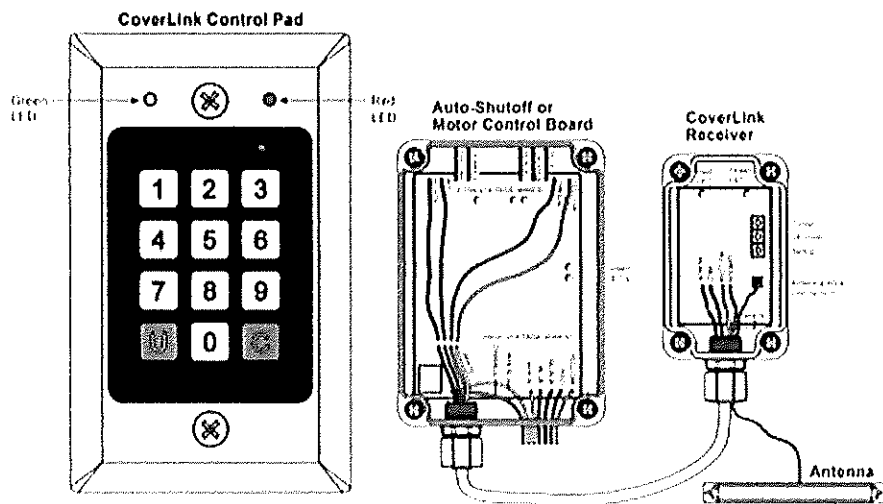
Control Pad features:

- Up to 3 separate control pads can operate the same pool cover
- Up to 4 unique four-digit PINs can control access to the pool cover.
- Control pads can be setup in different locations around the pool
- A master PIN that is stored in memory location 1 (Factory Default Master PIN: 1583)
- Additional PINs can be stored in memory locations 2, 3 and 4
- *The pool owner should keep a record of PIN to memory location for reference*
- A unique signal that is sent from the control pad and stored by the receiver when linked
- For multiple control pads, each control pad must be linked to the receiver and set to the same channel number and the same network ID number

Receiver features:

- | | | |
|-------------------|--------------------|------------------------|
| 3 control buttons | 32 usable Channels | 100 Network ID numbers |
| • Uncover | • 00 - 31 | • 00 - 99 |
| • Cover | | |
| • Setup | | |

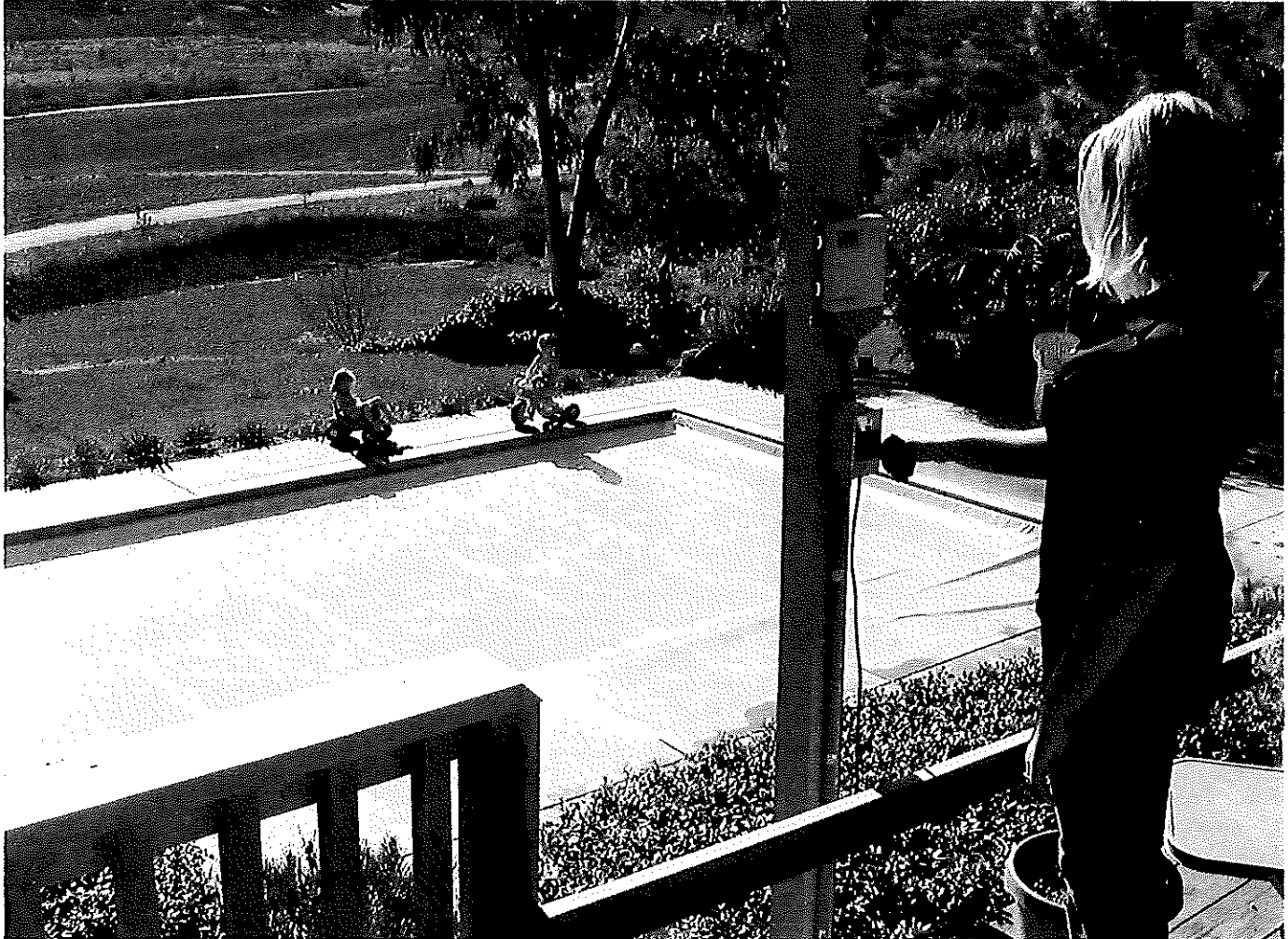
Typically the auto-shutoff is located in an enclosure by the pool cover electric motor connected to the Receiver enclosure by a cable. The receiver enclosure is labeled "CoverLink Receiver."



Automatic Pool Cover Safety Standards

When you invest in a pool cover, you want to ensure you're getting the best quality product that meets all of the necessary safety standards. While every state has its own mandatory pool barrier codes, pool covers must meet safety standards set by the American Society for Testing and Materials (ASTM).

Coverstar automatic cover systems have been tested and meet the safety standards outlined in ASTM F1346-91. These guidelines were created to reduce the risk of drowning by inhibiting pool access to children under five years of age.

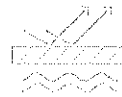


SAFETY BENEFITS

ASTM Pool Cover Safety Specifications



Weight Support



Perimeter Deflection Test



Surface Drainage Test



Control-Switch Requirements

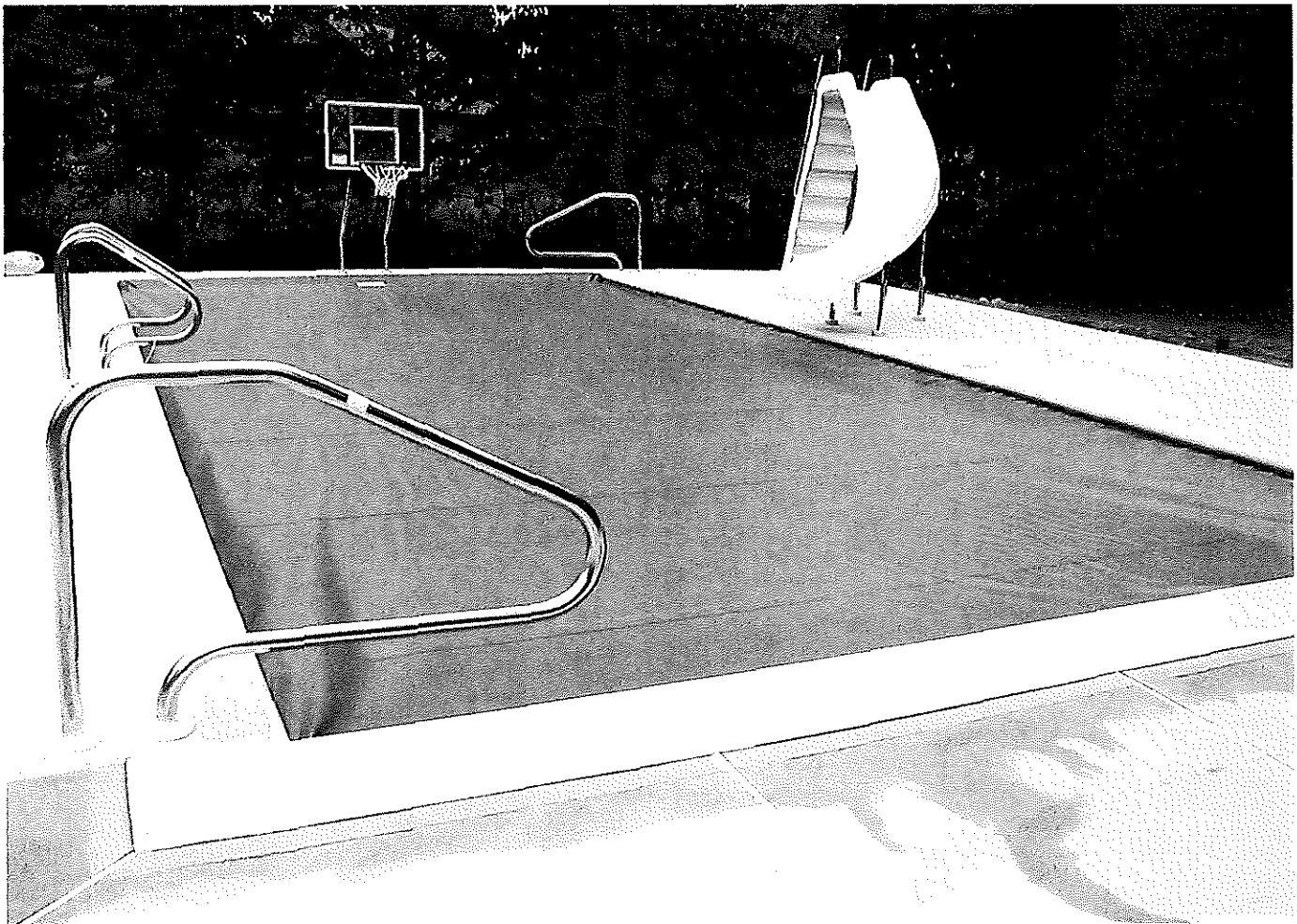
Coverstar automatic pool covers are also UL listed and certified to meet industry-wide standards.

How Safe Are Automatic Pool Covers?

Coverstar automatic pool covers create an impenetrable barrier to prevent children, pets, or any other unwanted animals or guests from entering your pool unattended. While pool covers are the best way to add an additional layer of protection around your swimming pool, they are not a substitute for proper pool safety or adult supervision.

Pool covers are often more reliable than other safety equipment, like fences, because they create a barrier that directly seals your pool off. Even with a fence, if someone is able to get in the pool area, a pool cover will prevent them from entering the pool without your permission.

There's no need to worry about unwanted access to your pool because the control switch requires a key to unlock the cover plate or a four-digit code to gain access. Coverstar offers the best protection available to keep your loved ones safe.



Pool Cover Safety: Protect Your Loved Ones

and Enjoy Your Pool

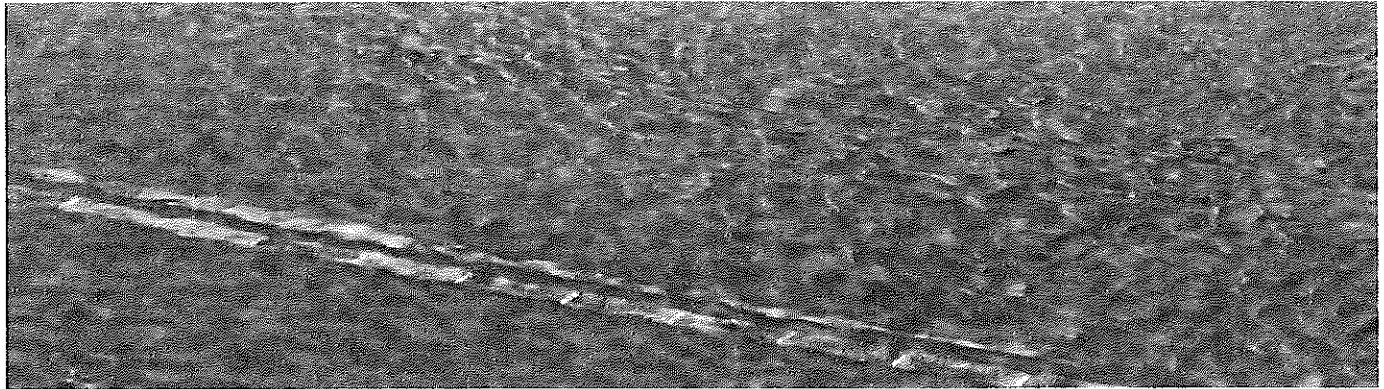
A Coverstar automatic pool cover is the best way to keep children and pets out of harm's way, in addition to adult supervision and any state-mandated barriers or fence requirements. The Pool & Hot Tub Alliance (PHTA) recommends a layered approach to pool safety, which includes adult supervision, pool covers, and safety barriers and devices like alarms and screens.

Certain states, like Arizona and California, have fencing requirements for residential pools, but an automatic pool cover can add an additional layer of protection on top of these structures, and be used as a substitute in areas with no fencing requirements.

According to the CDC, 10 people die each day from unintentional drowning, and two out of every 10 of these instances are children aged 14 or younger. Automatic pool covers can help to add a stronger layer of protection between loved ones and devastation, and help to ensure that your pool remains a fun, safe place for your family to enjoy.

**We at Coverstar recommend never standing, sitting, or walking on any automatic cover for any period of time to ensure optimal safety standards are maintained.*





EXPLORE OUR MODELS

CS3000: The Perfect Blend of Function and Value

[Learn More About the CS3000](#)

FEATURED RESOURCES

Learn More About Autocovers



FROM THE BLOG

How Regulations Are Changing For Pool Automatic Safety Covers

Automatic Safety Cover | Undertrack cover in Royal Blue with flush lid on fiberglass pool Pool Automatic Safety Covers: Helping You Achieve Your Top Prior...

[Read More >](#)



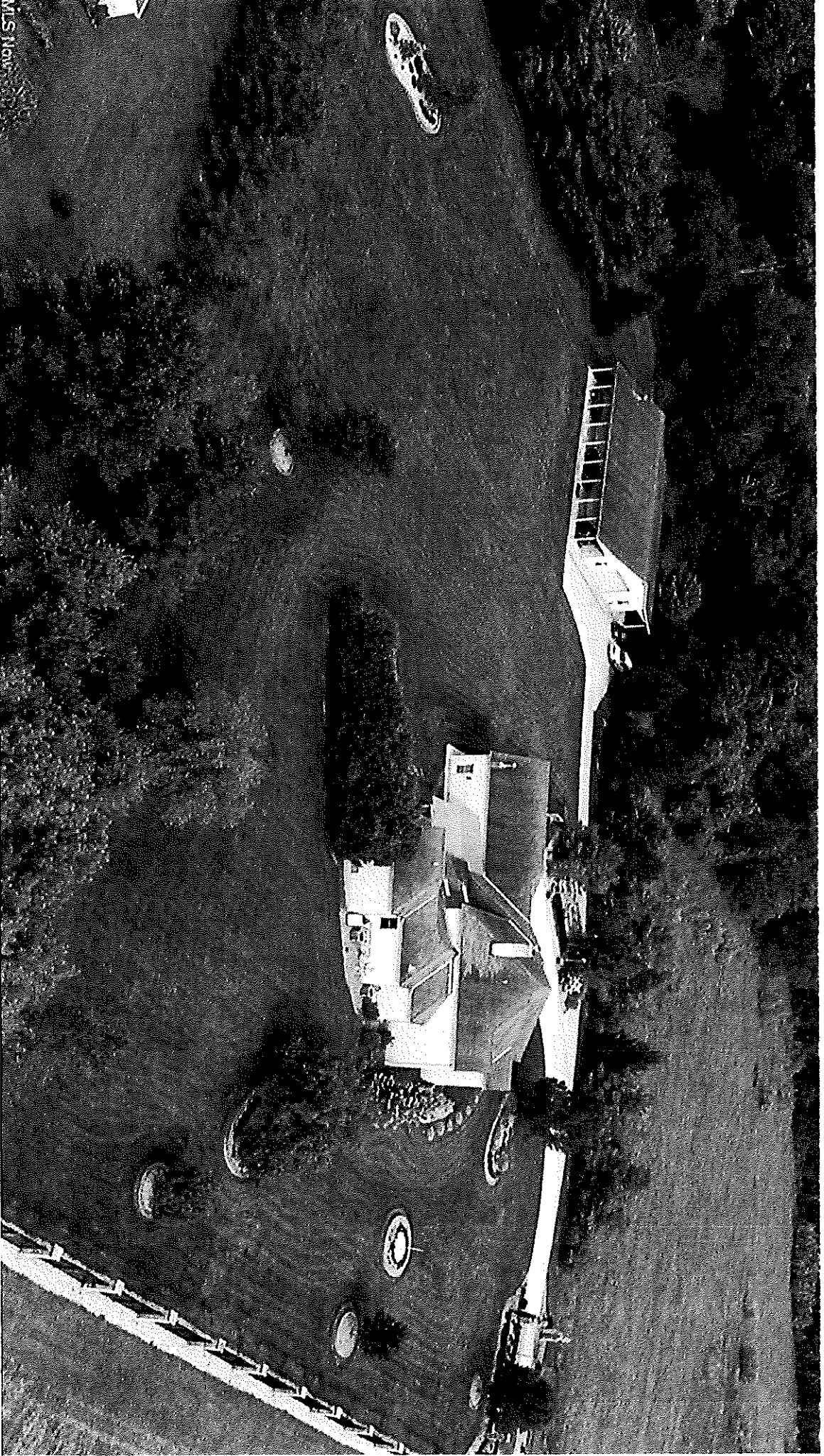
FROM THE BLOG

The Important Role of an Automatic Pool Safety Cover

The statistics don't lie. With an average of 10 deaths a day by accidental drowning in the USA it is up to everyone who owns a swimming pool...

[Read More](#)

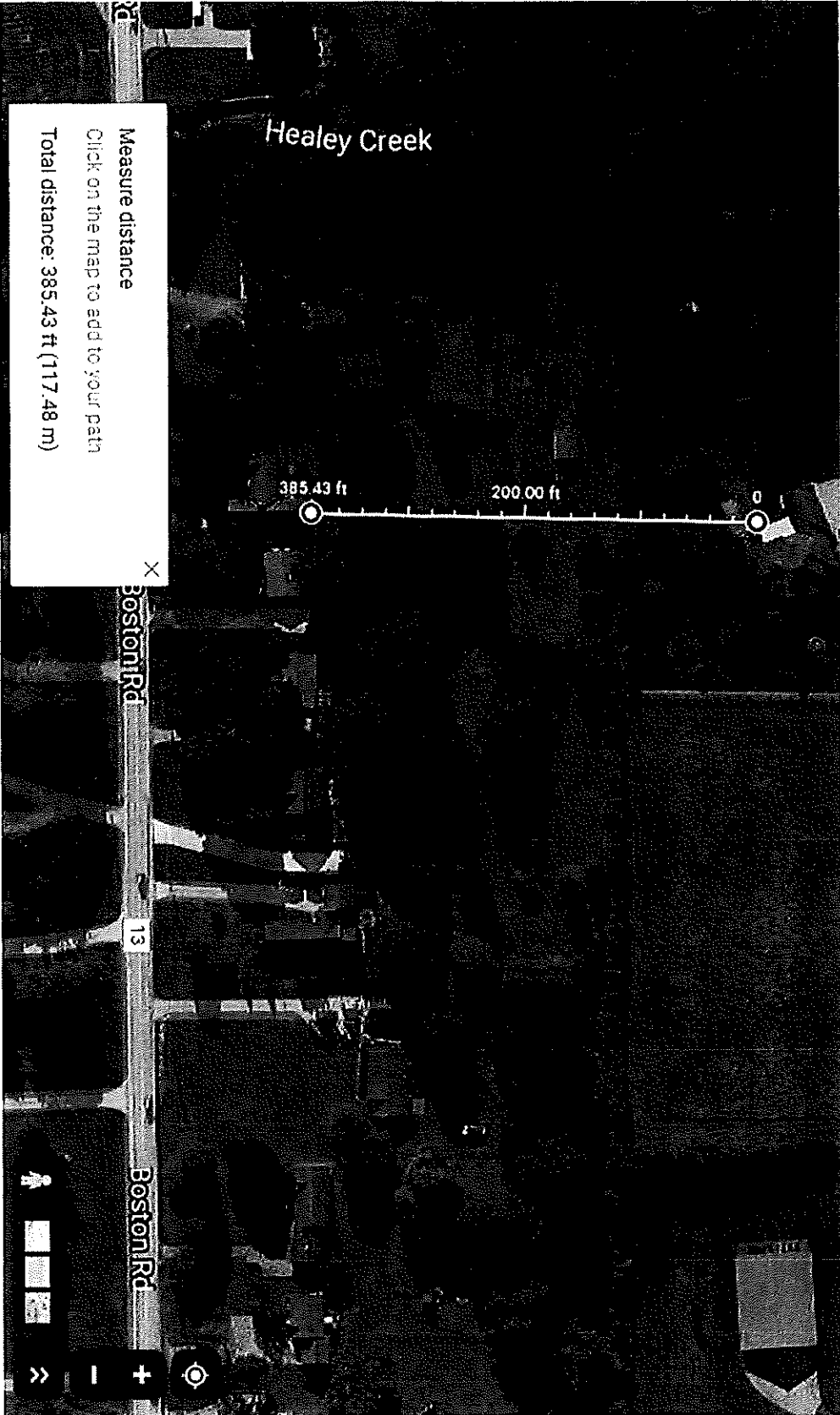
MIS New



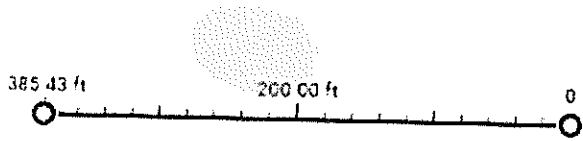


MISS MOON





Healey Creek



Measure distance

Click on the map to add to your path

Total distance: 385.43 ft (117.48 m)

X
Boston Rd

13

Boston Rd

Map data ©2022

United States

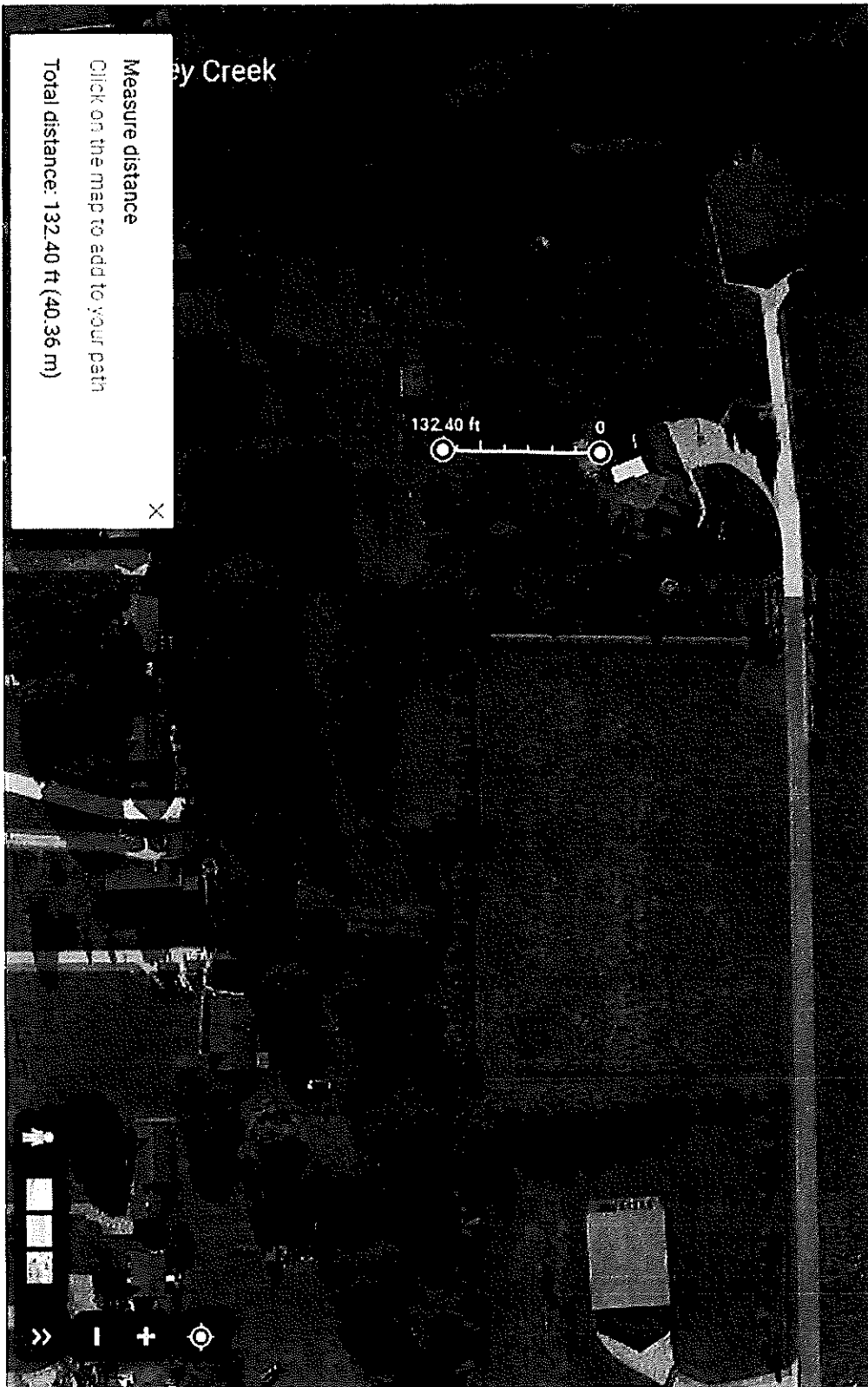
Terms

Privacy

Send feedback

100 ft





by Creek

Measure distance

Click on the map to add to your path

Total distance: 132.40 ft (40.36 m)

132.40 ft

0

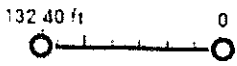


by Creek

Measure distance

Click on the map to add to your path

Total distance: 132.40 ft (40.36 m)



BARRIER REQUIREMENTS

Strongsville

Outdoor pools and spas and indoor pools shall be surrounded by a barrier that complies with the International Swimming Pool and Spa Code (2018 ISPSC).

STRUCTURE WALL AS BARRIER

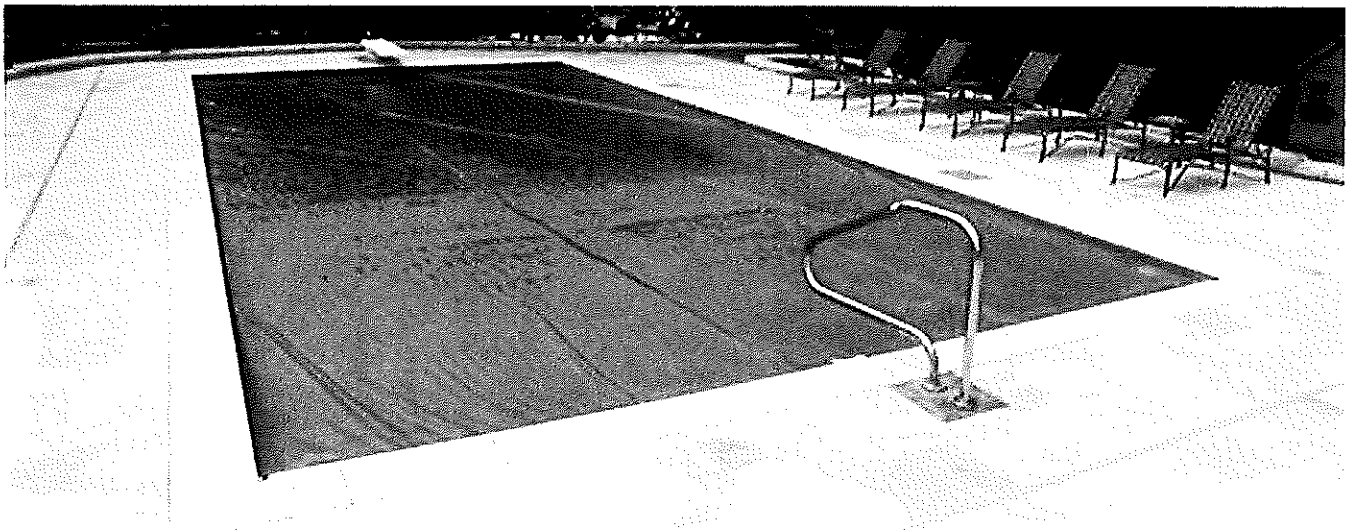
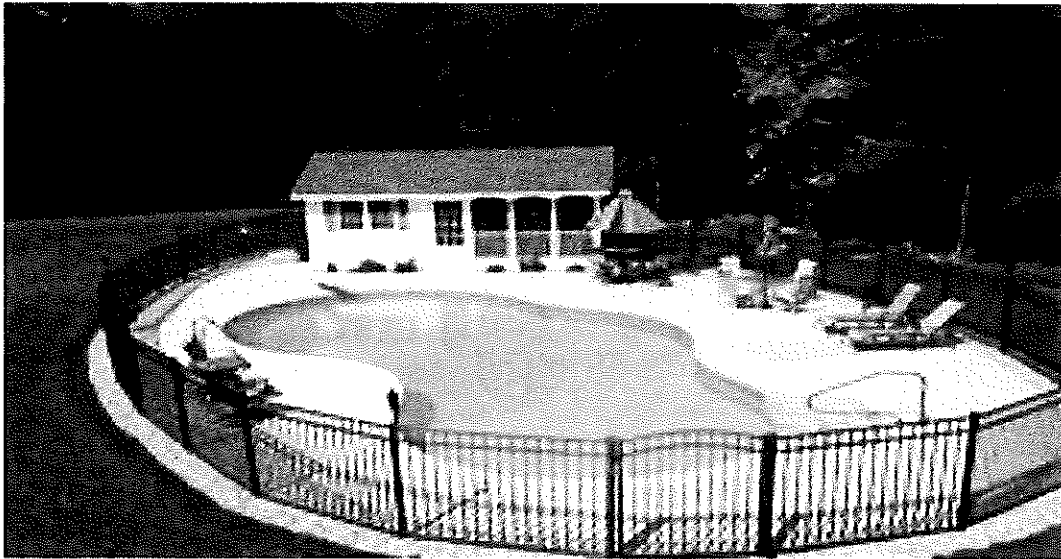
Where the wall of a dwelling or structure serves as part of the barrier **and** where doors or windows **provide direct access to the pool or spa** through the wall, one of the following **shall be required**:

1. Operable windows having a sill height of less than 48 inches above the door finished floor and doors **shall have an alarm that produces an audible warning** when the window, door or their screens are opened. The alarm shall be *listed* and *labeled* as a water hazard alarm in accordance with UL2017.
2. A safety cover that is *listed* and *labeled* in accordance with ASTM F1346 is in place when the pool is not in use.
3. An approved means of protection, such as self-closing doors with self-latching devices is provided. Such means of protection shall provide a degree of protection that is not less than the protection afforded by Item 1 or 2.

DECKS AROUND POOLS

Where a deck surrounds a pool, in full or in part, the "Structure Wall as Barrier" rules shall apply. Page 9 & 10 outline the requirements for decks encompassing a pool.

INGROUND SWIMMING POOL BARRIERS



(b) All gates or doors opening into such enclosure shall be designed to permit locking and shall be kept locked when the pool is not in actual use or is left unattended. This provision shall not apply if the entire parcel on which the pool is located is provided with such a fence and gate.

(c) The Building Commissioner may make modifications in individual cases upon a showing of good cause with respect to the height, nature or location of the fence, gates or latches, or the necessity therefor, provided the protection as sought hereunder is not reduced thereby. The Building Commissioner may permit other protective devices or structures to be used so long as the degree of protection afforded by the substitute devices or structures is not less than the protection afforded by the wall, fence, gate and latch described herein.

(d) Any ladders, steps or other devices used for entering and leaving a portable pool shall be moved to a safe distance from the pool when the pool is not in use or when a responsible person is