



City of North Royalton

Mayor Larry Antoskiewicz

Board of Zoning Appeals

David Smerek Building Commissioner

BZA22-07.1

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, **September 22, 2022** 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 from **Chapter 1270 "Residential Districts"** of the City of North Royalton Zoning Code. Request is being made by Hortensia and Ioan Filip who are seeking a variance for a proposed covered patio at 11859 Greyfriars Circle also known as PPN: 484-24-060, in the Residential Single Family (R1-A) District zoning. The variance being requested is as follows:

Variance #1: Codified Ordinance Section 1270.05 "Schedule of Area Yard & Height Regulations". Request is for a variance of 12.5 ft. less than the minimum 50 ft. rear yard setback requirement in order to construct a covered porch on the back of existing dwelling. The rear east corner of the proposed covered porch would be 37.5 ft. off the rear property line.

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: Northroyalton.org/boardofzoningappeals

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 September 16th 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 Acting Secretary
City of North Royalton, Ohio



City of North Royalton

Mayor Larry Antoskiewicz

Community Development, Building Division

Dan Kulchytsky Building Commissioner

11545 Royalton Road, North Royalton, OH 44133

RECEIVED

AUG 19 2022

CITY OF NORTH ROYALTON
BUILDING DEPT.

Phone: 440-582-3000

CITY OF NORTH ROYALTON BOARD OF ZONING APPEALS APPLICATION

1. This request is made for the following property:

<u>11859 GREYFRIARS CIRCLE</u> Address	<u>JOAN + HORTENSIA FILIP</u> Occupant, Business or Tenant (if applicable)
<u>PPN: 484-24-60</u> Permanent Parcel Number	<u>R1-A</u> Zoning District
	Ward No.
	HOA Name: <u>Devonshire</u> Letter of Approval Rec'd: <u>Yes</u> or No Letter of Denial Rec'd: Yes or No

2. Property Owner:

<u>JOAN + HORTENSIA FILIP</u> Name	 Name of Business (if applicable)
<u>11859 GREYFRIARS CIRCLE</u> Address	<u>216-272-0071</u> Phone
<u>N. Royalton, OH 44133</u> City, State and Postal Code	<u>HORTENSIA 3075@gmail.com</u> Email (electronic mail)

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

<u>SELF</u> Name	 Name of Business (if applicable)
 Address	 Phone
 City, State and Postal Code	 Email (electronic mail)

For Office Use Only

<u>6.17.22</u> Date Application Submitted	<u>6.28.22</u> Meeting Date Assigned
<u>\$ 75.00</u> Application Fee	<u>BZA22--07</u> Identification Number Assigned
<u>check</u> Payment Information (date, check number, cash, etc.)	<u>KLC</u> 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.

Roof over patio at rear of house encroaches rear setback line.

The rear property line is angled and without the variance the patio will be too small for reasonable roof.

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

Rear yard setback encroachment for an addition. I am seeking a rear yard setback variance of 12-15 ft. in the shortest point of the property to the house construction, per attached drawing, to the rear fence to allow covered porch to be located less than 50 ft. from rear property line. The proposed rear yard set back of 37.85 ft. in the shortest point due to the unusual back yard shape. Relief from ordinance section 1270.05.

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.

[Signature] 1 HORTENSIA R. FILIP 6/17/22
Applicant Signature, Printed Name and Title Date

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: 11859 GREYFRIARS CIR. N. Royalton, OH 44133

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.

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

Not substantial. The minimum necessary for us to have a nice structure patio to fully enjoy the patio.

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;

Recr property line is at an angle

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

No

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

No

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

No

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

Yes

Approved by: Thomas E. Tekusch - Trustee
Date: Aug. 18, 2022

Devonshire Homeowner's Association
Building Structure Application

Name: HORTENSIA HOAN FLIP Date: 8/18/2022
Address: 11859 Greyfriars Cir. N.R. 44133
Telephone: 216-272-0071
Sublot #: 484-24-60 PPN

1. Type of Improvement..... Deck ☐ Fence ☐ Storage Bldg ☐
Other (Specify) New Concrete Patio with footers
and attached roof to the house
2. Total area (or length for fence) _____

3. Type of material to be used (general description):

Concrete for patio, wood beams, roof materials

4. Roof: Material asphalt concrete
Color Same as house
5. Siding: Material None
Color None
6. Gutters: Color White as existing house
7. Trim: Color white as existing to house

8. Please list additional features or descriptions if needed:

Need approval for variance to our property ^{from N.R.} due to
the patio to be created by us. At the shortest point
the rear set back will be 37.85 ft. and the wider the
set back will be 42.05 ft. Variance request from N.R. of
Shortest @ 12.15 ft., 9.85 ft. and 6.95 ft for the covered patio.





