

City of North Royalton

Mayor Larry Antoskiewicz

Board of Zoning Appeals

David Smerek Building Commissioner

BZA 22-10

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 variances from **Chapter 1270 "Residential Districts"**, of the City of North Royalton Zoning Code. Request is being made by Robert Walker, who is seeking a variance for proposed accessory structure at 11871 Nottingham Pkwy also known as PPN: 484-22-040, in Residential Single Family (R1-A) District zoning. The variance being requested is as follows:

Variance #1: Codified Ordinance Section **1270.12 (a) "Size, Location, Setbacks and Height for Accessory Buildings and Private Garages"**. Request is for a variance for relief from the requirement that an accessory building wall height can be no more than (10) feet in height. The proposed 280 sq. ft. accessory building wall height is 14 ft.

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

Phone: 440-582-3000

RECEIVED

AUG 22 2022

CITY OF NORTH ROYALTON
BUILDING DEPT.

CITY OF NORTH ROYALTON BOARD OF ZONING APPEALS APPLICATION

1. This request is made for the following property:

11871 Nottingham Pkwy. Occupant
Address Occupant, Business or Tenant (if applicable)

PPN: 48422040 Zoning District R1-A Ward No. HOA Name: Nottingham Woods
Permanent Parcel Number Letter of Approval Rec'd: Yes or No
Letter of Denial Rec'd: Yes or No

2. Property Owner:

Robert Walker
Name Name of Business (if applicable)
11871 Nottingham Pkwy. (440) 263-1859
Address Phone
North Royalton OH 44133 RWalker13901@gmail.com
City, State and Postal Code Email (electronic mail)

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

Same as Above
Name Name of Business (if applicable)
Address Phone
City, State and Postal Code Email (electronic mail)

For Office Use Only

8-22-22 9-22-22
Date Application Submitted Meeting Date Assigned
\$ 75.00 BZA 22-10
Application Fee Identification Number Assigned
ck # 3380 [Signature]
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.

The reason for the Variance is due to the wall height exceeding the 10 ft. Limit. The structure was built with the Peak height being 17^{ft} so the walls were built to accommodate the a 10ft for additional storage.

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

The nature of the Variance requested from section 1270.12 (Height For Accessory building wall) : Max. height for wall is 10ft. current structure has 14 ft. walls. Request for additional 4 ft. as I misunderstood overall height being at 20 ft. walls built to accommodate 17^{ft} height for a storage loft.

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.

Robert Walker Robert Walker/owner 8-10-2022
Applicant Signature, Printed Name and Title Date

Robert Walker Robert Walker/owner 8-10-22
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)

N/A

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: 11871 Nottingham Pkwy, N.R.

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 structure is built & would need to be torn down. Building size is to accommodate storage for my family.

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

The Variance is minimal, as an additional 4 Ft. for wall height allows for more storage and does not exceed the permissible height restriction for the Peak

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;

The Structure Matches the Primary Structure in style & color. (Roof & siding) Present to view & is in the rear of property

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

N/A

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;

N/A

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;

N/A

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

unfortunately not without destroying the structure

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

N/A

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

Due to my misunderstanding of allowed wall size as I focused only on total height + style of structure, I built walls to match pitch of roof

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

I have a very large family & have been paying \$1,75 per month for storage. This variance will save my family money and helps us live more organized as a whole and give us peace of mind

Nottingham Woods Home Owners Association

North Royalton, Ohio 44133

RECEIVED
CITY OF N. ROYALTON
SEP 08 2022
ENGINEERING DEPT.

Dale Kaminski, President
440-390-1241

Carrie Valdez, Secretary

Arleen Micunas, Treasurer

To: The North Royalton Building Department

10/21/2020

From: Trustees of the Nottingham Woods Homeowners Association

Re: Installation of a shed and widening of a driveway for 11871 Nottingham Pkwy, owner Robert and Kimberlee Walker

The only applicable restriction in the Declarations of Covenants and Restrictions of the Nottingham Woods Development is in Article III, section 10. This reads as follows:
"The blockage of any natural drainage course or swale or changing of the grade of a Lot by Owner is expressly prohibited".

Based on the information supplied to the Trustees, the planned installation of the shed and widening of the driveway will fulfill the above restrictions and is approved by the Trustees.

Dale Kaminski

President
Nottingham Woods Homeowners Association

1270.12 SIZE, LOCATION, SETBACKS AND HEIGHT FOR ACCESSORY BUILDINGS AND PRIVATE GARAGES.

(a) Private Garages and Accessory Buildings permitted in the R1-A, R1-B, and RRZ Districts per section 1273.01(d), shall be meet the requirements of the following table:

<i>Each residential lot is permitted one (1) attached or detached Private Garage based on the size of the dwelling:</i>	
<i>Dwelling size</i>	<i>Max. total square footage</i>
<i>Up to 1800 sq. ft.</i>	<i>800 sq. ft.</i>
<i>1800 – 4000 sq. ft.</i>	<i>1,000 sq. ft.</i>
<i>Over 4000 sq. ft.</i>	<i>1,200 sq. ft.</i>
<i>Each residential lot is permitted one (1) Accessory Building and one (1) Accessory Shelter that, combined, shall not exceed the following requirements:</i>	
<i>Lot Size</i>	<i>Max. total square footage</i>
<i>Up to ½ acre</i>	<i>600 sq. ft.</i>
<i>½ acre to one (1) acre</i>	<i>800 sq. ft.</i>
<i>One (1) to three (3) acres</i>	<i>1200 sq. ft.</i>
<i>More than three acres</i>	<i>2000 sq. ft.</i>
<i>Accessory Building Location</i>	
<i>Interior lot</i>	<i>Behind rear wall of the Main Building¹</i>
<i>Corner lot</i>	<i>Behind rear wall of the Main Building and observe the actual setback created by the adjacent main building of the abutting lot.¹</i>
<i>Accessory Building setback from:</i>	<i>Distance</i>
<i>Any dwelling</i>	<i>20 ft.</i>
<i>Any other Accessory Building</i>	<i>10 ft.</i>
<i>Side property line</i>	<i>5 ft.</i>
<i>Rear property line</i>	<i>5 ft.</i>
<i>Accessory Building Height</i>	<i>Max. height</i>
<i>Wall height</i>	<i>10 ft.</i>
<i>Overall height</i>	<i>20 ft. or the overall height of the main building, whichever is less.</i>

1. Except that an Accessory Shelter of not more than 100 sq. ft. may be permitted in the front yard or side yard if it is entirely unenclosed.

A. All structures combined shall not exceed the basic footprint of thirty-five percent of the lot. Such footprint shall be permitted to be split to accommodate the maximum use of the lot.

B. Accessory structures and Private Detached Garages commonly associated with R1-A and R1-B Districts are not permitted in a cluster development in accordance with Section 1270.33(d)(4)F.

C. Swimming pools, whether in-ground or above-ground, shall be permitted regardless of size providing such pool does not exceed the thirty-five percent lot coverage inclusive with all other accessory structures.

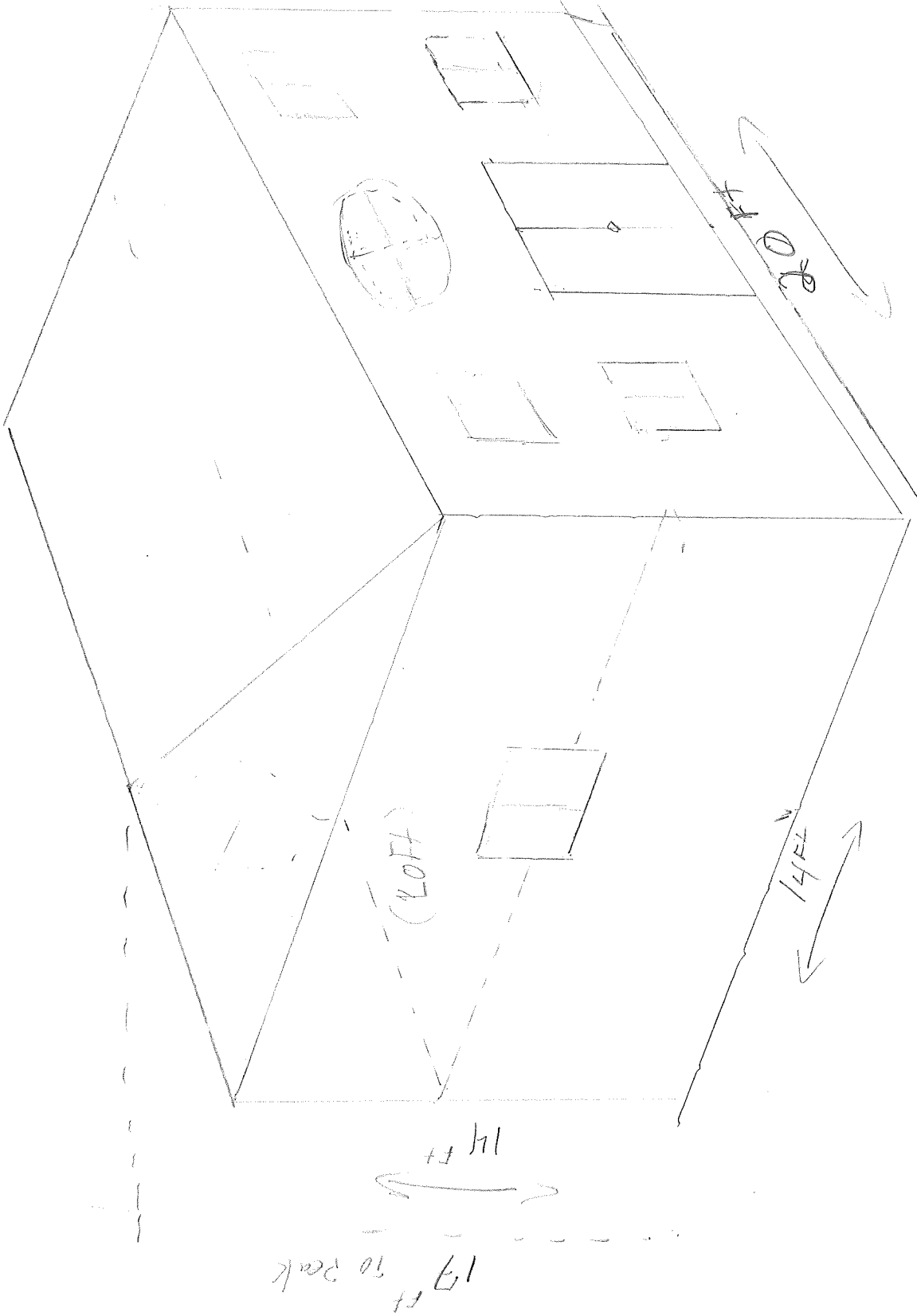
Section 2. Chapter 1270, Section 1270.12, Paragraph (a) of the Codified Ordinances of the City of North Royalton is hereby amended as provided for herein and all other provisions of Chapter 1270 shall remain in full force and effect.

Section 3. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to amend Chapter 1270 Residential Districts, Section 1270.12 Yards for Accessory

concrete pad
Thickened to
12" deep around
perimeter.



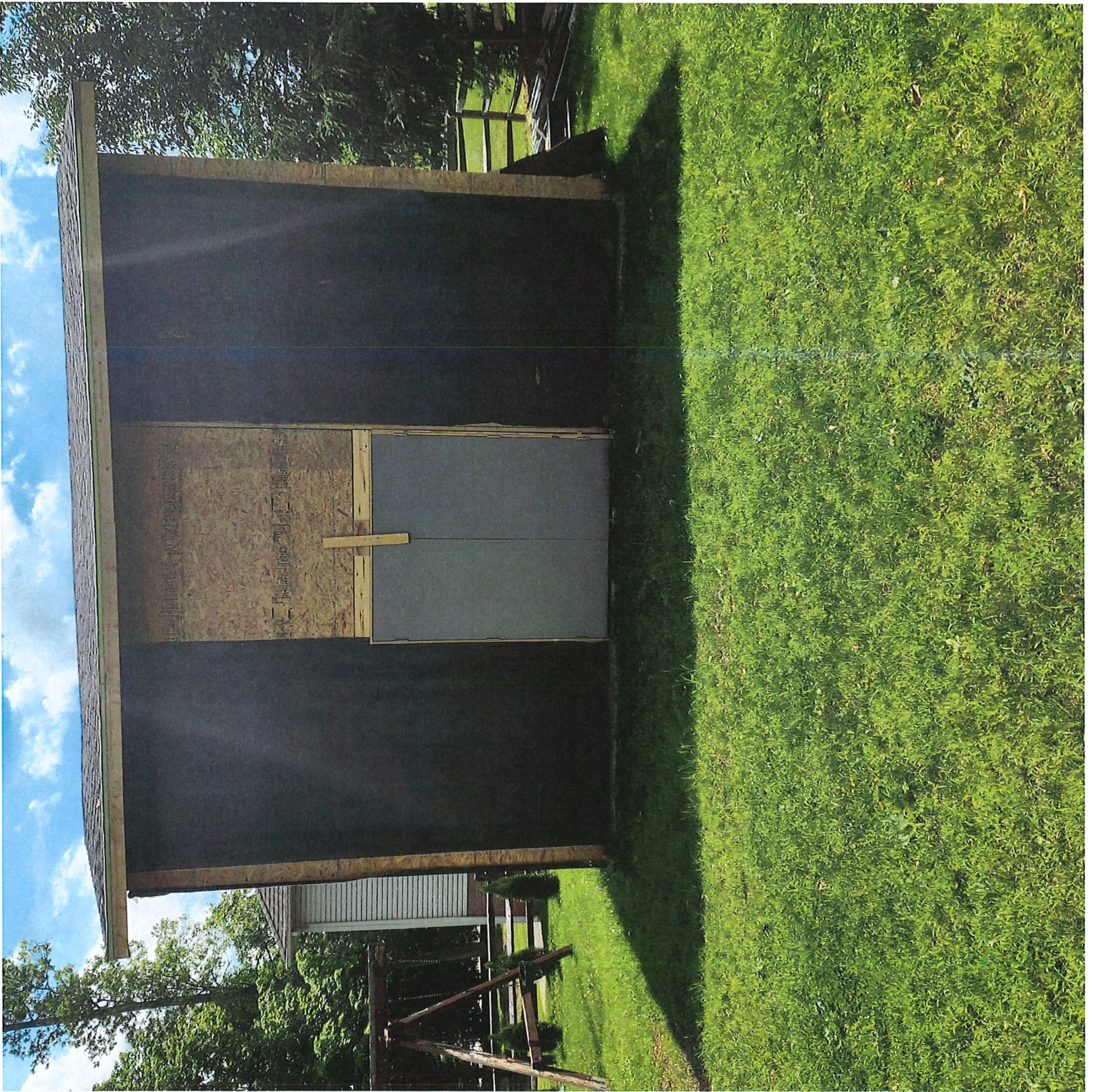
Ranch Style Roof

→ Stick built

→ No Electric

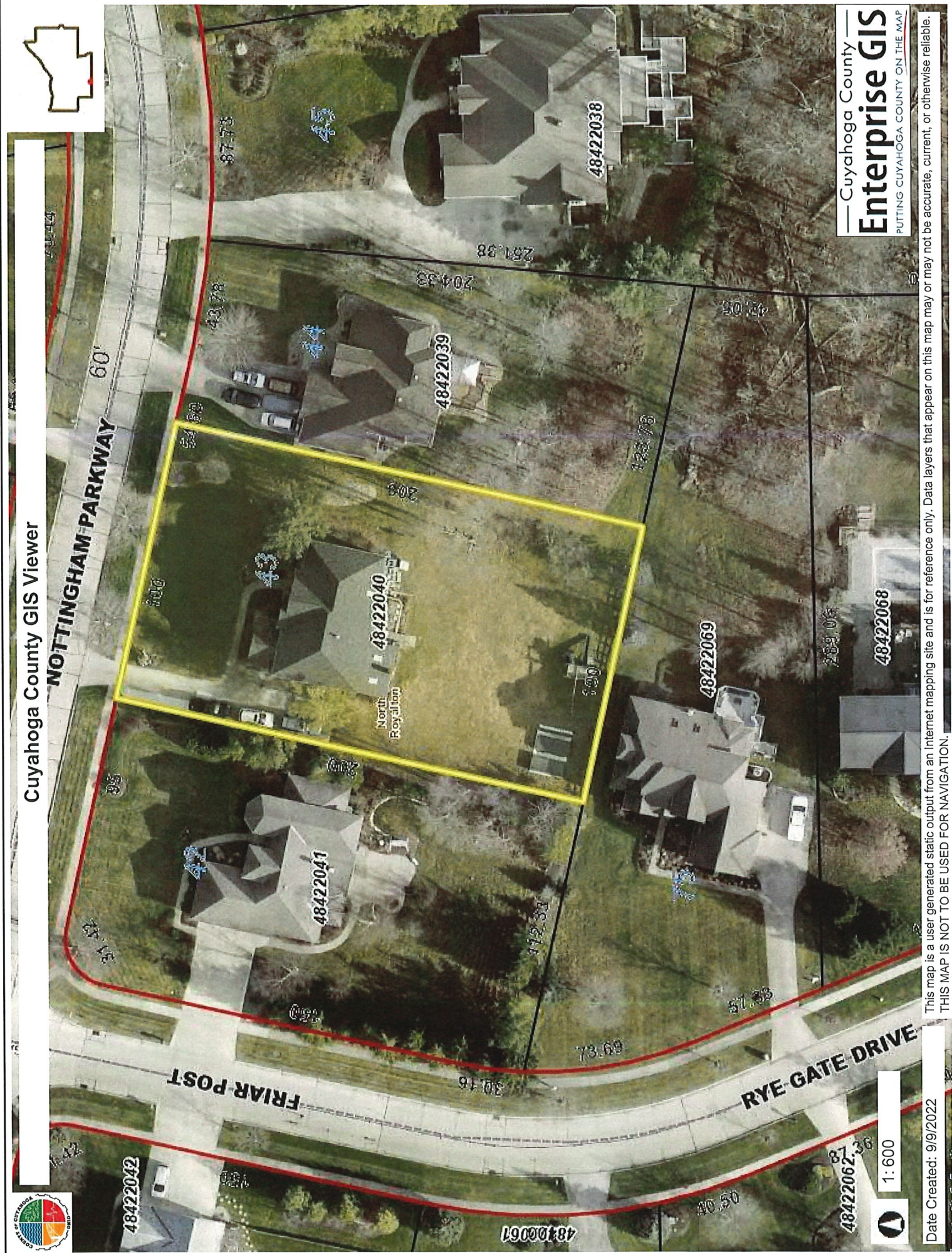
→ No Plumbing







Cuyahoga County GIS Viewer



Cuyahoga County
Enterprise GIS
PUTTING CUYAHOGA COUNTY ON THE MAP

1: 600



Date Created: 9/9/2022

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