



City of North Royalton

Mayor Larry Antoskiewicz

Board of Zoning Appeals

David Smerek, Building Commissioner

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, **November 17, 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 Tod Grimm, who is seeking a variance for a proposed accessory structure at 9380 Rainbow Lane also known as PPN: 482-05-081, in Residential (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." Applicant is proposing to construct a 576 square foot garage at a distance of 13 feet from the existing dwelling. Request is for a variance of 7 feet to place the accessory structure less than the code required 20 feet from the home.

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](https://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

Ian Russell
Board of Zoning Appeals 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

CITY OF NORTH ROYALTON BOARD OF ZONING APPEALS APPLICATION

1. This request is made for the following property:

9380 Rainbow Lane

Address

Occupant

Occupant, Business or Tenant (if applicable)

PPN: 482-05-081

Permanent Parcel Number

Zoning District Ward No.

HOA Name: Timber Ridge

Letter of Approval Rec'd: ☒ Yes or No

Letter of Denial Rec'd: ☐ Yes or No

2. Property Owner:

Tod J. Grimm

Name

Name of Business (if applicable)

9380 Rainbow Lane

Address

440-550-9700

Phone

North Royalton, OHio 44133

City, State and Postal Code

tj.grimm@outlook.com

Email (electronic mail)

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

Name

Name of Business (if applicable)

Address

Phone

City, State and Postal Code

Email (electronic mail)

For Office Use Only

October 14, 2022

Date Application Submitted

\$ 75.00

Application Fee

Check

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

November 17, 2022

Meeting Date Assigned

BZA22--12

Identification Number Assigned

I.R.

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 goal of the variance is to have the design mirror a neighboring property. This adds symmetry to my property and maintains the look of the development (see attached neighbor's property)

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 variance is for 1270.12 (accessory buildings and private garages).

The variance requested is to allow the accessory structure to be 7 foot closer than the usual 20.

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.

Tod J. Grimm / Homeowner
Applicant Signature, Printed Name and Title
10.14.2022
Date

Tod J. Grimm / Homeowner
Property Owner Signature, Printed Name and Title
10.14.2022
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: 9380 Rainbow Lane

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;

There would still be beneficial use, but it would look really out of place

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 minor, and the minimum necessary for the aesthetically perfect location.

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 character of the neighborhood would be substantially altered

and the adjoining properties would suffer detriment if the variance is not aproved.

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

The variance would not affect governmental services.

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;

The variance is not sought for relief for 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;

The circumstances are not particular to the land or structures involved.

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

The variance is necessary.

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

The variance will not create a nonconforming lot.

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

There are no special conditions or circumstances that exist as a result of the 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.

The spirit and intent behind the zoning requirement would be observed and

Substantial justice would be done by granting a variance

Type text here

CITY OF NORTH ROYALTON BOARD OF ZONING APPEALS APPLICATION

QUESTIONS RELATIVE TO USE VARIANCES ONLY

Address of subject property: 9380 Rainbow Lane

No variance shall be granted to allow a use not permissible under the terms of this Zoning Code in the zoning district in which the property is located unless the Board finds that the applicant will suffer unnecessary hardship if strict compliance with the terms of the Code is required and such hardship must be demonstrated by clear and convincing evidence as to all of the following criteria:

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

- A. Where the literal application of the provisions of this Zoning Code would result in no economically viable use of the property for any purpose for which the property and not based on conditions created by the owner. (A theoretical loss or limiting possibilities of economic advantage are general hardships, not unnecessary hardships.)

The application of the zoning code would not eliminate the viable use of the property.

It would limit the possibilities, as the development would not allow the structure at the zoned distance

- B. Where other exceptional circumstances or conditions (such as topographic or geological conditions or type of adjoining development) are unique to the property involved and do not apply to other property within the same zone unless the same exceptional circumstances or conditions exists.

There are not exceptional circumstances, only aesthetic ones.

- C. Where the granting of a variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located.

The granting of the variance will not be materially detrimental to the public welfare or injurious to the neighborhood. It will improve the neighborhood.

- D. Where the granting of a variance will not be contrary to the general purpose, intent and objectives of this Zoning Code and the Master Plan of the City of North Royalton.

The variance will not be contrary to the general purpose, intent , and objectives of the zoning code and master plan of the city of North Royalton.

- E. The variance sought is the minimum which will afford relief to the applicant.

The variance sought is the minimum which will afford relief.

Ian Russell

From: Don & Christine Groves <grolam@yahoo.com>
Sent: Monday, October 31, 2022 12:07 PM
To: Ian Russell
Cc: tod.grimm@uhhospitals.org; Greg Ollie
Subject: Variance HOA Approval

Hello Ian Russell,
N.Royalton Zoning Dept.

This email is to inform you that the Timber Ridge Homeowners Association will approve and recommend the variance concerning the added detached two car attached garage at 9380 Rainbow Lane by Tod Grimm.

The variance will be submitted at the November 17th meeting,

We understand that the city requires the garage to be 20' from the house. They are asking that the distance be 13' from the house.

We will approve this variance as long that all other city requirements are met.

We are in support of this plan and recommended this plan because the garage does not look like a mistake or just thrown in the back yard, but it looks like it is part of the house!

Thank you,
Don Groves, Timber Ridge HOA President

Proposed: 24'X24' GARAGE

Garage located at: 9380 Rainbow Ln

Owner: Tod Grimm 440-550-9700

LENGEND








-  CONCRETE
-  SHINGLE not color specific
-  SIDING not color specific
-  BLOCK
-  EXISTING STRUCTURE
-  REBAR # 5
-  5/8 FIRE WALL

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STRUCTURE DETAILS

- 1. Roof line load - 30lbs
 - 2. Snow load - Yes PFS 20lbs
 - 3. Basic wind speed - 115Miles
 - 4. Wind exposure - A
 - 5. Seismic - B
 - 6. Ice barrier - Yes
- Grade of lumber- fir pine spruce



200



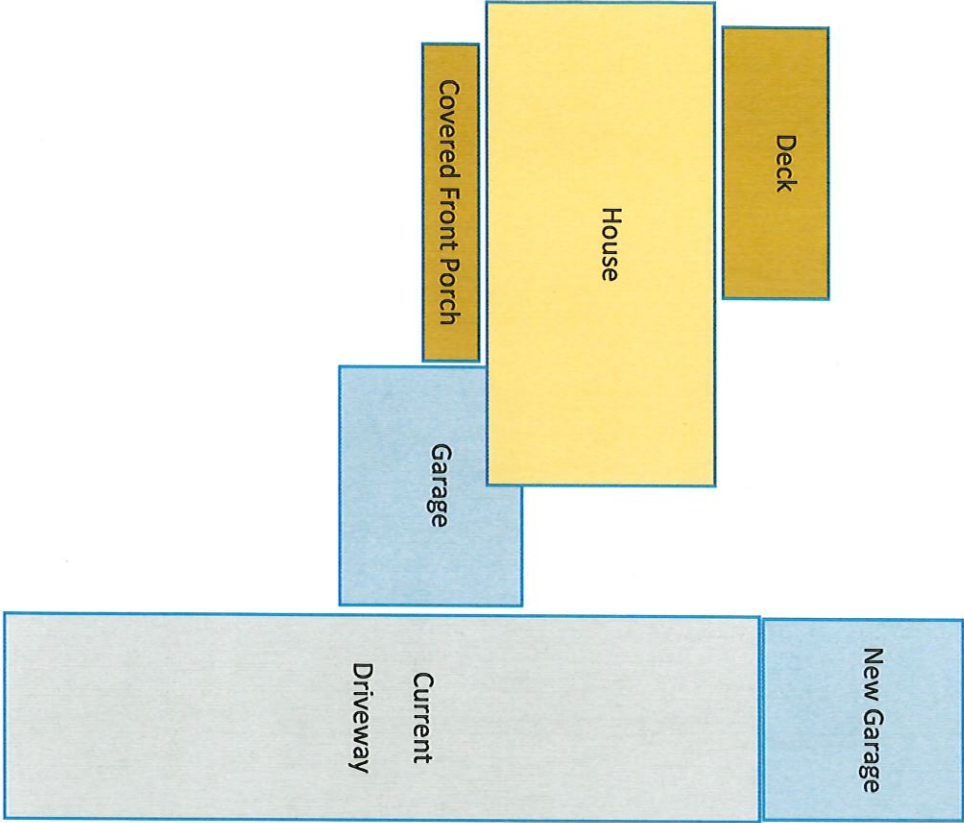
End of current Driveway, Start of garage

20 feet North of Garage

11 feet East of House

13 feet away from Northeast corner of house

6'8" north of northernmost wall of house



(SCALE: 24' divided by 5 = 20% + 4.8)

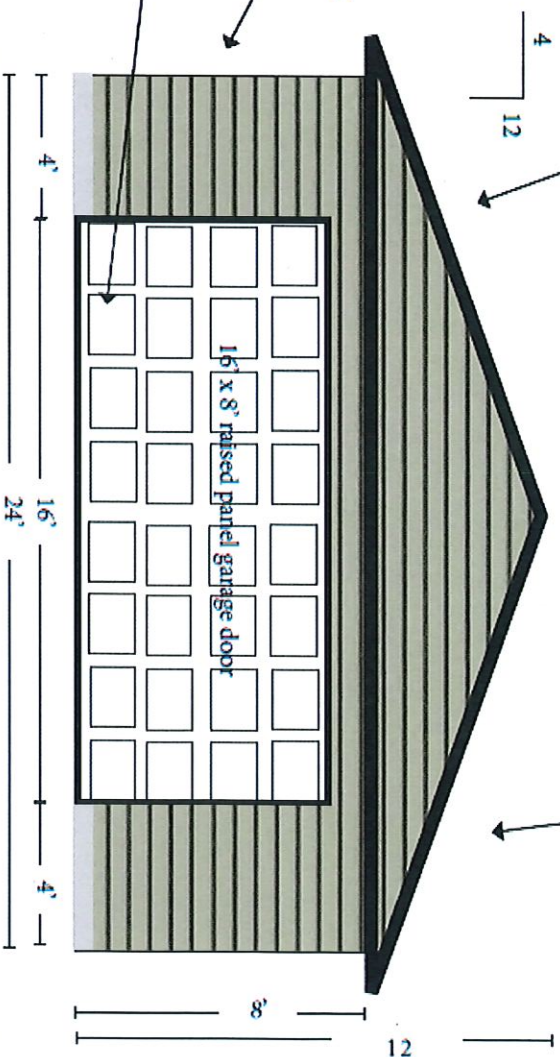
Front Elevation

COMPLETE DOOR;
16'-0" X 7'-0" 4-8 R2580W;
RAISED PANEL IN WHITE;
EXTENSION 10" STD 2
BRKT WOOD;
RES. NYLON; 2- 2x2 E Strut;
SPRING LOOSE;

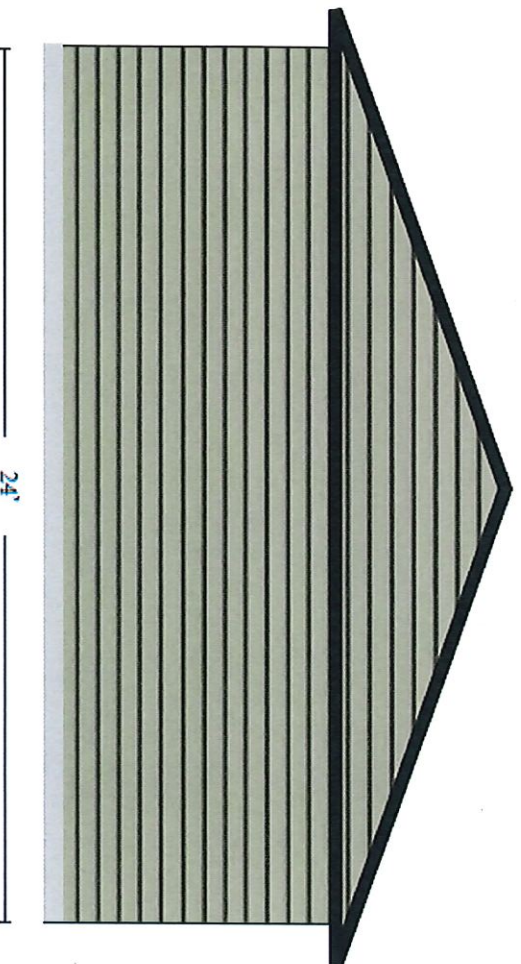
Vinyl Double 4" siding

35 yr dimension shingles

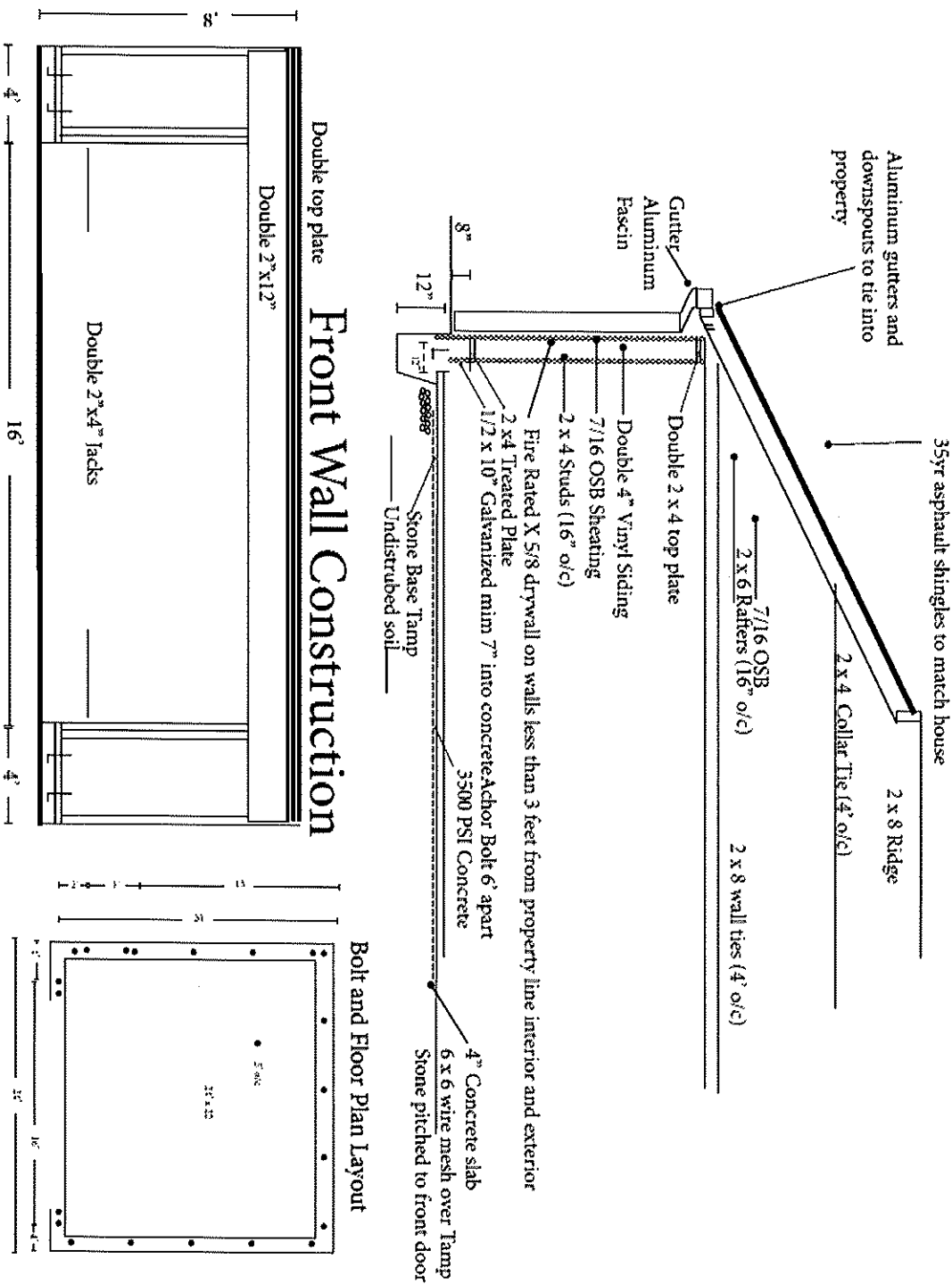
5" overhang on roof



Back Elevation



Construction Details



Neighborhood Comparison: 8051 Lakeview Court

