



# City of North Royalton

Mayor Larry Antoskiewicz

## Board of Zoning Appeals

David Smerek, Building Commissioner

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### 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, **December 15, 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 David Tolley, who is seeking a variance for the size of an accessory structure at 5974 Edgerton Road also known as PPN: 487-22-010, in Rural Residential (RRZ) 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 1200 square foot accessory structure in the rear yard. Request is for a variance of 400 square feet above the 800 square foot allowance permitted based on the size of the property.

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](http://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 16<sup>th</sup> 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:

<u>5947 EDGERTON RD</u>	
Address	Occupant, Business or Tenant (if applicable)
PPN: <u>487-22-010</u>	<u>RAZ</u>
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:

<u>David Tolley</u>	
Name	Name of Business (if applicable)
<u>5947 EDGERTON RD</u>	<u>440 821 2563</u>
Address	Phone
<u>N Royalton OH 44133</u>	<u>Tolley Services @ Gmail</u>
City, State and Postal Code	Email (electronic mail)

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

<u>David Tolley</u>	
Name	Name of Business (if applicable)
<u>5947 EDGERTON RD</u>	<u>440 821 2563</u>
Address	Phone
<u>N Royalton OH 44133</u>	<u>Tolley Services @ Gmail</u>
City, State and Postal Code	Email (electronic mail)

### For Office Use Only

<u>11/9/2022</u>	<u>12/15/2022</u>
Date Application Submitted	Meeting Date Assigned
<u>\$ 75.00</u>	<u>BZA22--14</u>
Application Fee	Identification Number Assigned
<u>Check</u>	<u>I.R.</u>
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.

ADD 400 sq FT TO Storage Building  
TO STORE ANTIQUE CARS

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

1270.12" X



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.

David Tally, David Tally owner 11-9-22  
Applicant Signature, Printed Name and Title Date

David Tally, David Tally owner 11-9-22  
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)

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: 5974 EDGEMONT RD N Royalton 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;

NEED THIS MUCH SPACE

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

NEED FOR BUILDING

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;

*no*

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 it meets*



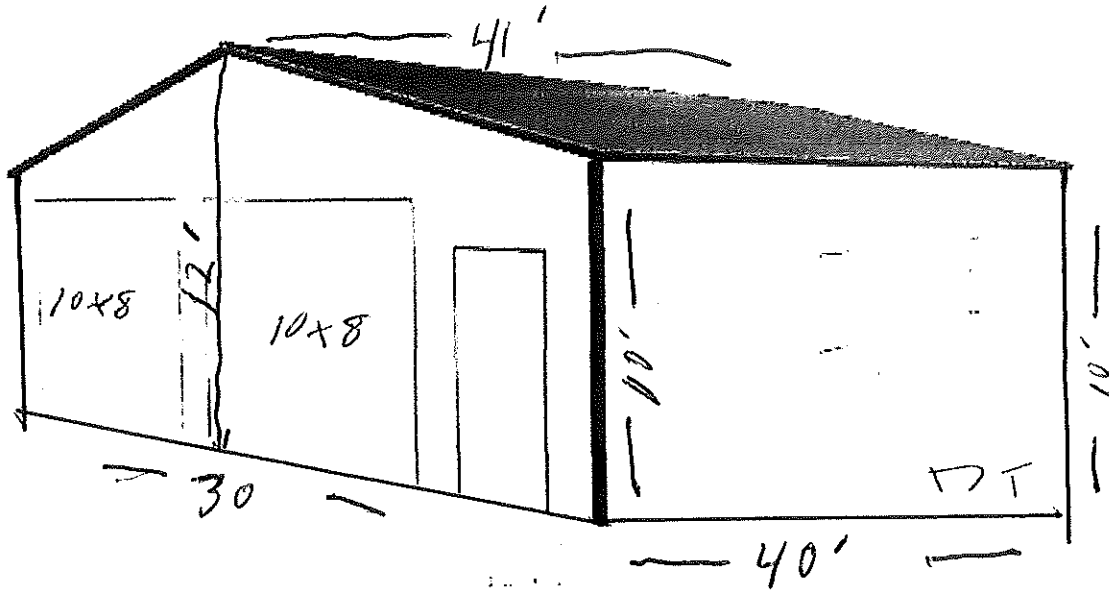


Dave Tolley

440 821 2563

5974 EDGETOWN RD

N. Rappaport 44133







# Cuyahoga County GIS Viewer



Date Created: 11/9/2022

## Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel



1: 1,200



200 0 100 200 Feet

Projection:  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

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