



# 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 Mark Smith, on behalf of Mari Kudla, who is seeking a variance from the required 10-foot side setback for an attached garage addition at 14646 Bennett Road also known as PPN: 487-03-001, in Residential (R1-A) District zoning. The variance being requested is as follows:

**Variance #1: Codified Ordinance Section 1270.05 "Schedule of Area, Yard and Height Regulations."** Applicant is proposing to construct a 484 square foot attached garage. Request is for a variance of roughly 3.5 feet from the required 10-foot side setback to allow the garage to extend into the setback.

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:

14646 Bennett Rd North Royalton OH  
Address 44133 Occupant, Business or Tenant (if applicable)

PPN: 487-03-001 Zoning District R1-A Ward No.           
Permanent Parcel Number  
HOA Name:           
Letter of Approval Rec'd: Yes or No  
Letter of Denial Rec'd: Yes or No

### 2. Property Owner:

Mari Kudla  
Name Name of Business (if applicable)

14646 Bennett Rd.  
Address 440-795-9937  
Phone

North Royalton OH 44133  
City, State and Postal Code mari@mariakudla.com  
Email (electronic mail)

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

Mark Smith  
Name Superior Quality Builders  
Name of Business (if applicable)

35241 Sullivan Dr  
Address 440-463-7516  
Phone

N. Ridgesville OH 44039  
City, State and Postal Code mark@sqbuilder.com  
Email (electronic mail)

### For Office Use Only

11/17/2022  
Date Application Submitted 12/15/2022  
Meeting Date Assigned

\$ 75.00  
Application Fee BZA22-16  
Identification Number Assigned

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

Build new garage that lines up with existing home

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

Existing home is 6.5' off side property  
Side Setback is 10' by code  
We need the new construction to line up with the existing home  
Code 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.

Mari Kudla / 11-12-22  
Applicant Signature, Printed Name and Title Date

\* Mari Kudla / Home owner 11-12-22  
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: 14646 Bennett Rd. North 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;

NO

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

is minimum

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 one will suffer  
no alteration

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;

the request is in keeping w/ existing structures



\*

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;

it can not

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

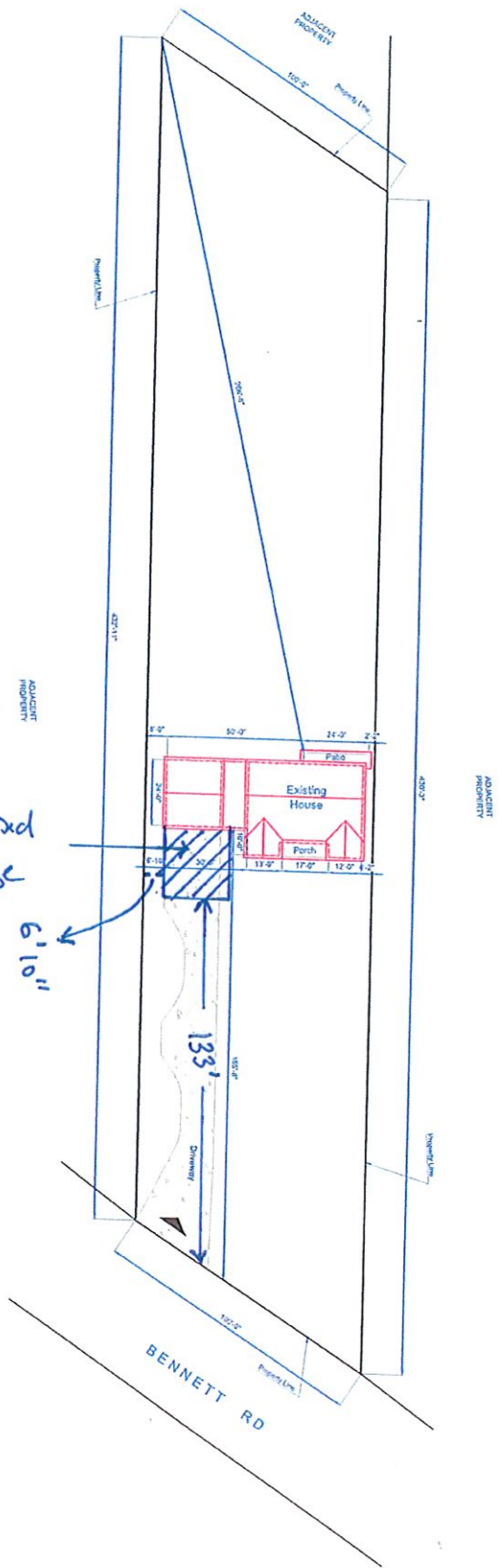
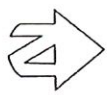
?

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

No

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

the variance would be a good & necessary thing



1 Site Plan  
Scale: 1" = 40'-0"

**MysticPlan**  
14646 Bennett Rd.  
North Royalton, OH 44133  
Scale: As Noted





# Cuyahoga County GIS Viewer



1: 1,200



200 0 100 200 Feet

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

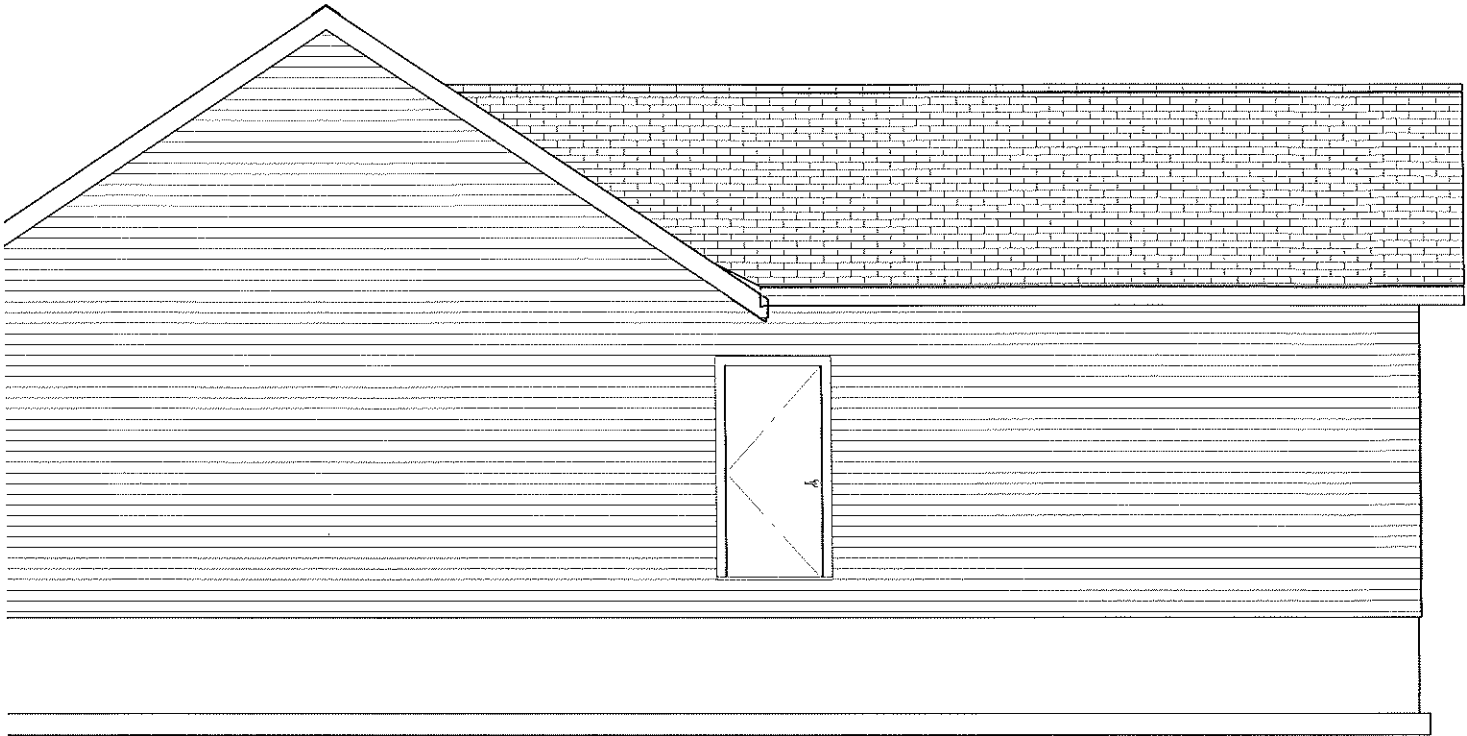
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Date Created: 11/22/2022

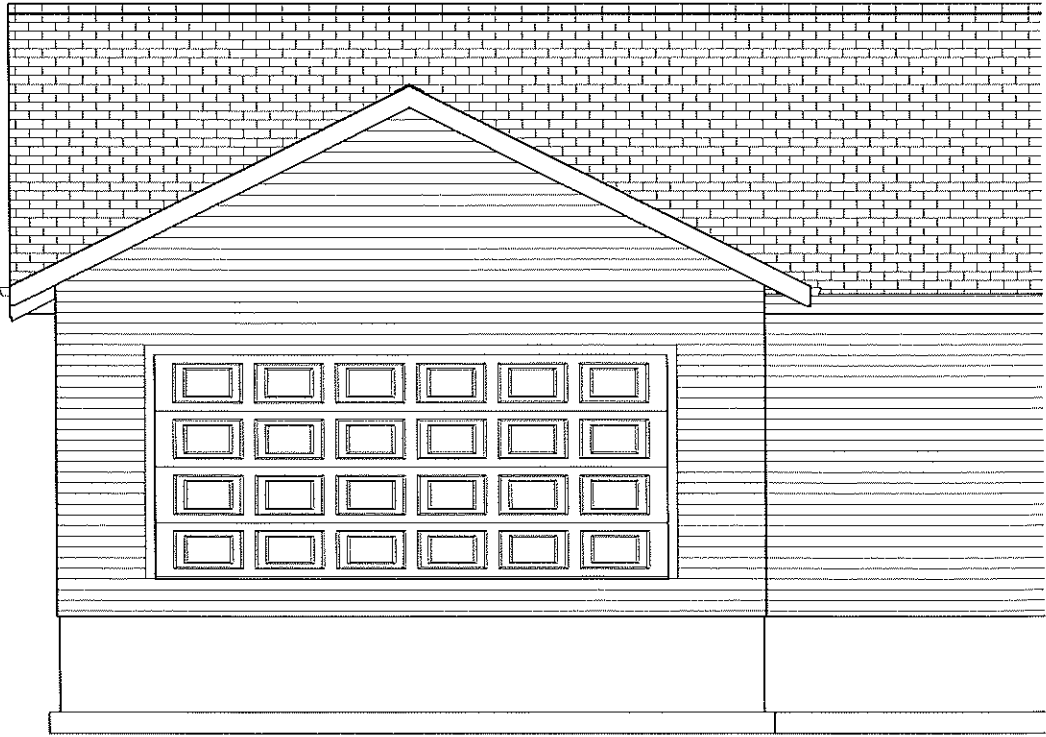
## Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel

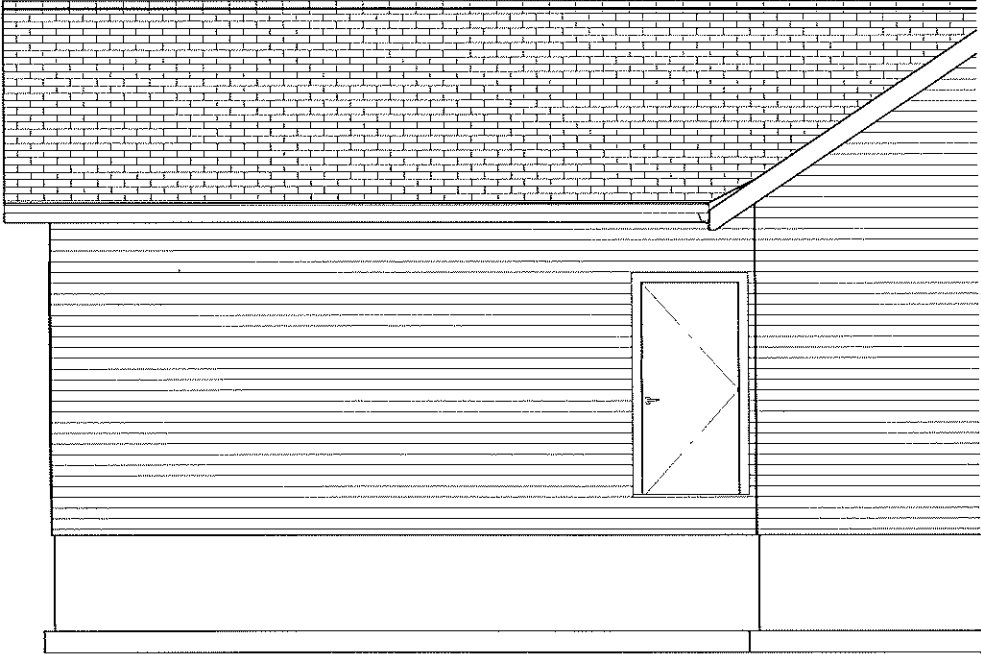




Elevation 1



Elevation 2



Elevation 3

REVISION TABLE	
NUMBER	DESCRIPTION

PAGE TITLE

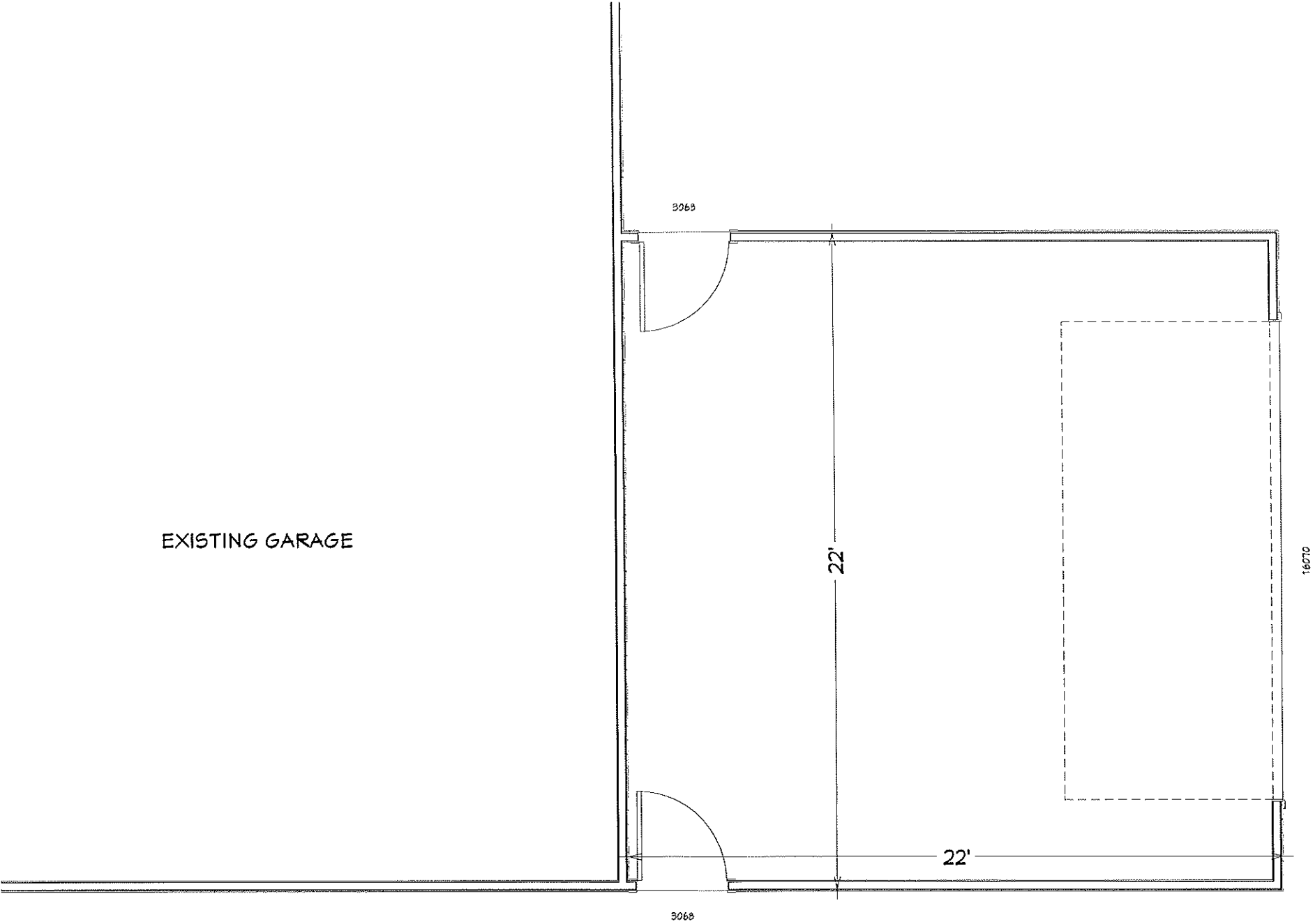
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DATE:  
9/29/2022

SCALE:

SHEET:

P-1



1st Floor

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NUMBER	DESCRIPTION

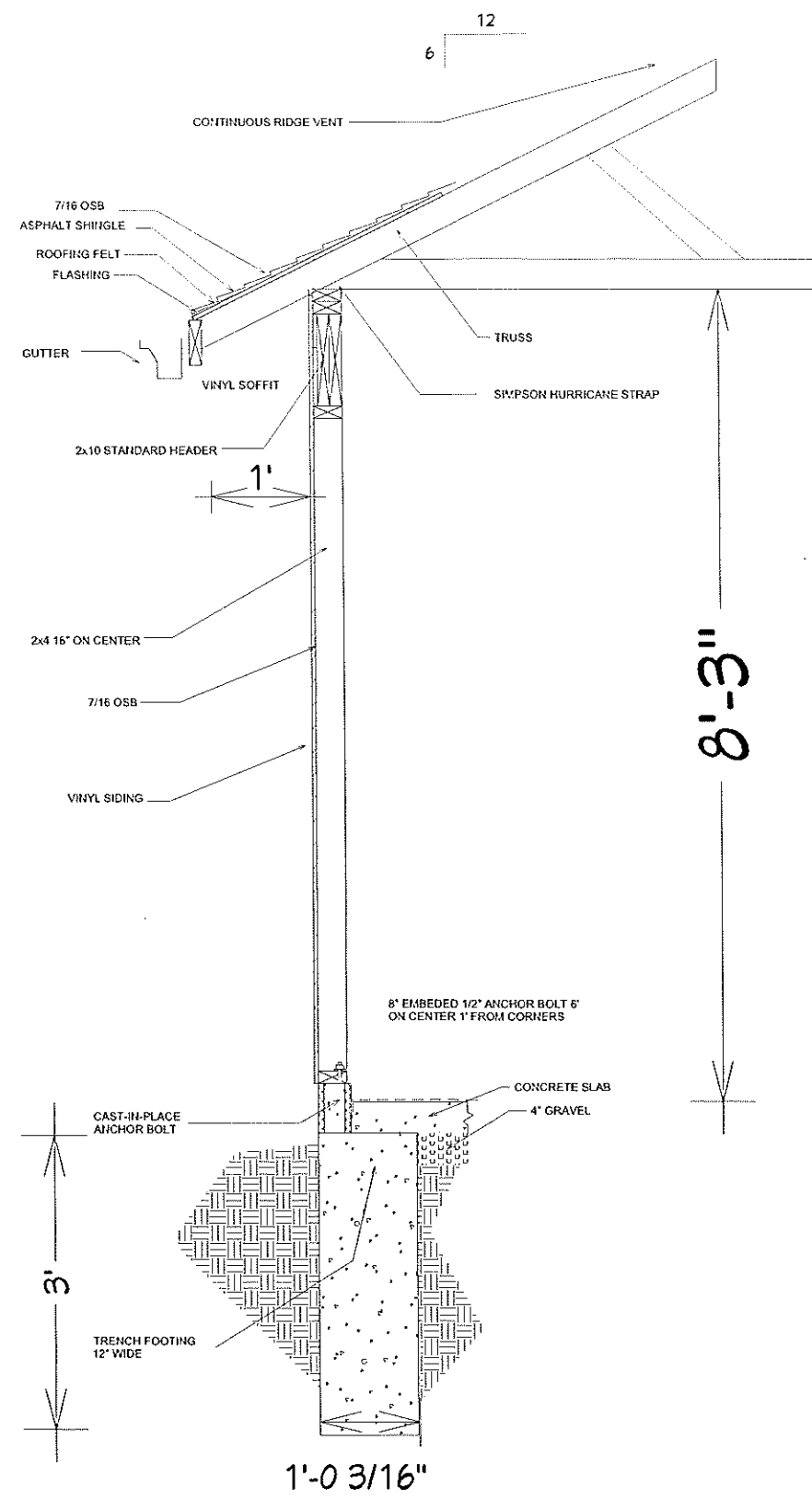
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