



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, **January 19, 2023** 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 of variances to **Chapter 1270 "Residential Districts"**, of the City of North Royalton Zoning Code. Request is being made by Robert Hostetler, on behalf of David Killian, for variances for a proposed accessory structure at 12133 Drake Road, also known as PPN: 484-13-001, in Rural Residential (RRZ) District zoning. The variances being requested are 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 3,200 square foot accessory structure. Request is for a variance of 1,200 square feet above the 2,000 square feet permitted by code.
- Variance #2:** Codified Ordinance Section 1270.12(a) "Size, Location, Setbacks and Height for Accessory Buildings and Private Garages". Applicant is proposing to construct an accessory structure with 18-foot-high walls. Request is for a variance of 8 feet above the 10-feet permitted by code.
- Variance #3:** Codified Ordinance Section 1270.12(a) "Size, Location, Setbacks and Height for Accessory Buildings and Private Garages". Applicant is proposing to construct an accessory structure at an overall height of 24'-6". Request is for a variance of 4'-6" above the 20-foot height permitted by code.

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: [Board of Zoning Appeals Website](#)

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 January 18th 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

11545 Royalton Road • North Royalton, Ohio 44133 • ph 440.457.5652 • irussell@northroyalton.org



City of North Royalton

Mayor Larry Antoskiewicz

Community Development, Building Division

David Smerek, 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:

12133 Drake Rd

Address

Occupant, Business or Tenant (if applicable)

PPN: 48413001

Permanent Parcel Number

RQZ
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:

Killian Trust

Name

Name of Business (if applicable)

12115 Drake Rd

Address

440-665-6365

Phone

N. Royalton, OH 44133

City, State and Postal Code

Email (electronic mail)

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

Robert Hostetter

Name

Wooster Buildings LLC

Name of Business (if applicable)

P.O. Box 154

Address

330-466-2183

Phone

Wooster, OH 44691

City, State and Postal Code

Robert@woosterbuildings.com

Email (electronic mail)

For Office Use Only

12/02/2022

Date Application Submitted

11/19/2023

Meeting Date Assigned

BZA--23-01

Identification Number Assigned

\$ 75.00

Application Fee

check

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

I.R.

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.

- (1.) The Code Allows For up to 2000' of accessory structure. For lots over 3 Acres, we are Proposing a 3,200' structure. So we Need a Variance For additional 1200'
- (2) Code Requires 10' side walls. We need Variance to Go 8' Taller
- (3) Code Requires max Height of 20' We Need Variance to go additional 4'-6" tall

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 (a)

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 Horton, Contractor
Applicant Signature, Printed Name and Title

12-1-22
Date

David Miller, TRUSTEE
Property Owner Signature, Printed Name and Title

12/2/2022
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: 12133 Drake Rd

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;

With out the Variance this would create
complicated means to keep the Hay Fields
Nicely Mowed & well kept.

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

Taking care of 40 Acres Requires owners
To Have a Building to store Farm equipment &
Baled Hay.

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;

We Believe storing equipment & Hay Inside
the Building rather than exposed out in
the Field will benefit the appearance of Neighbor
Hood

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;

We believe this 40 acre lot does need
an exception. A needed Building
to House Farm equipment & Hay

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

A 2000 sq ft. Building will not be
able to store all Farm equipment plus
Hay of the 40 acre Lot.

- 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;

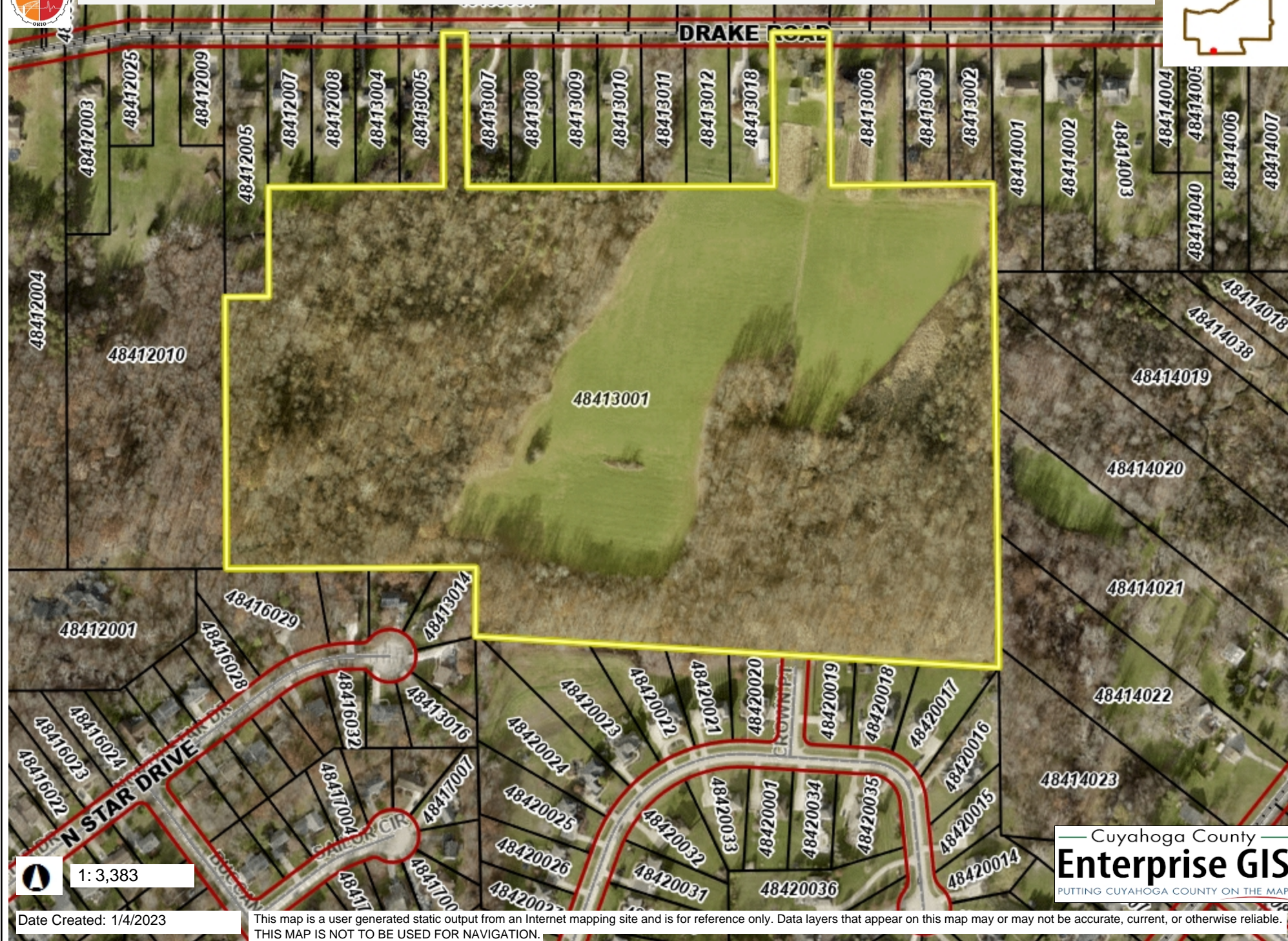
NO

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

yes, were way over the 3 Acre
threshold

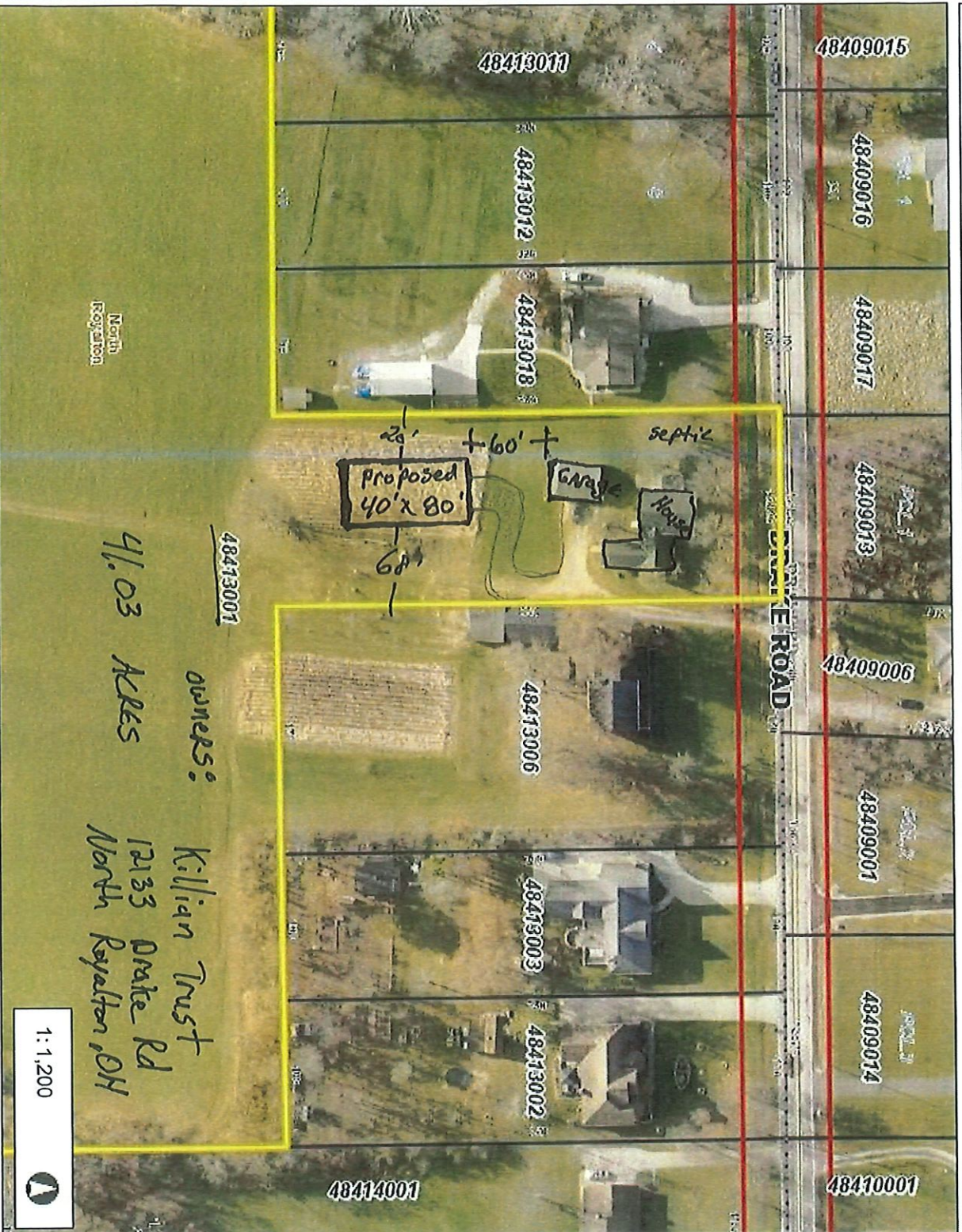


Cuyahoga County GIS Viewer





Cuyahoga County GIS Viewer



Date Created: 12/1/2022

Legend

- ☐ Municipalities
- ☐ Right Of Way
- ☐ Platted Centerline
- ☐ Parcel

1:1,200



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.

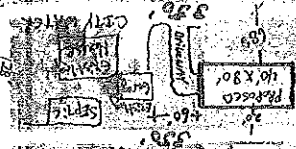
THIS MAP IS NOT TO BE USED FOR NAVIGATION

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48413005

48413004

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OWNERS: Killian Trust
12133 DEAKE RD
North Canton, OH 44133

48413001

41.03 Acres

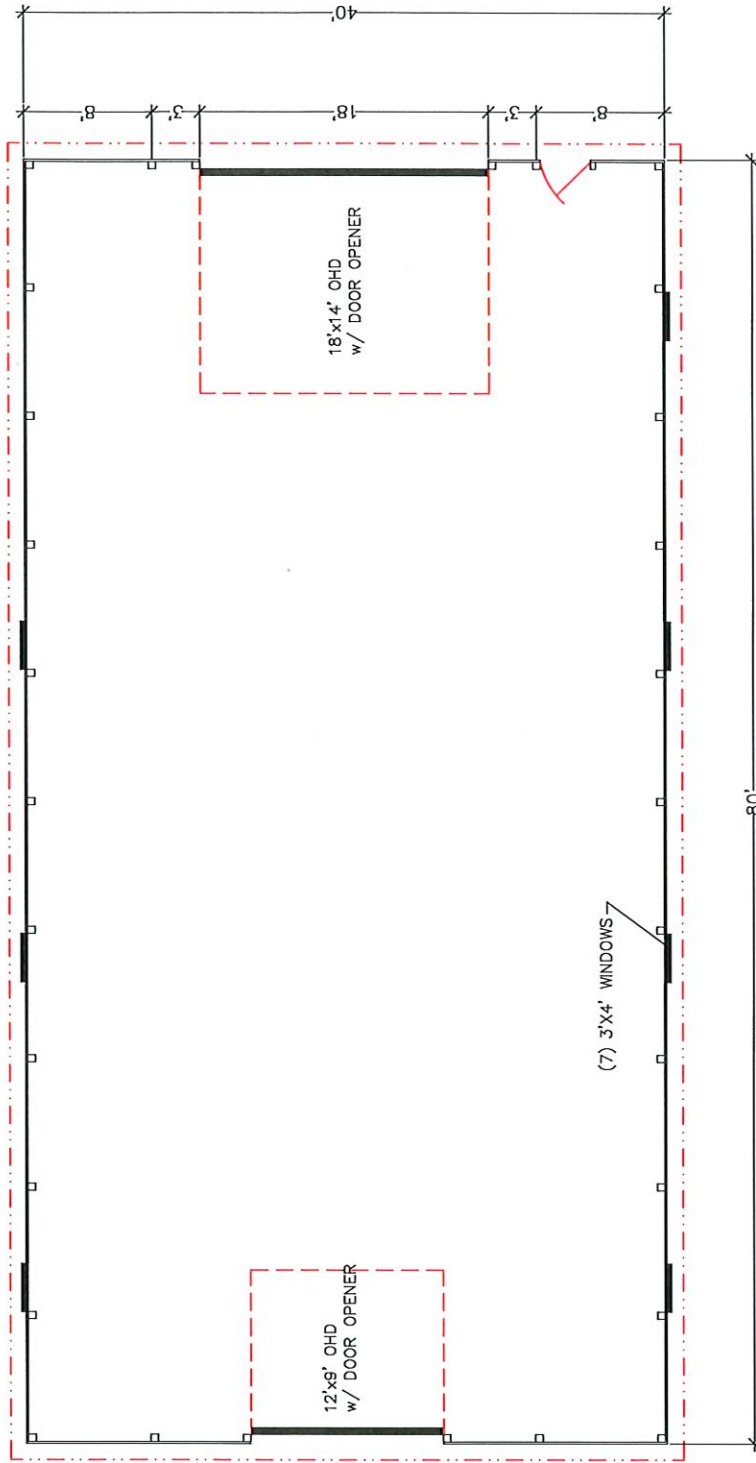
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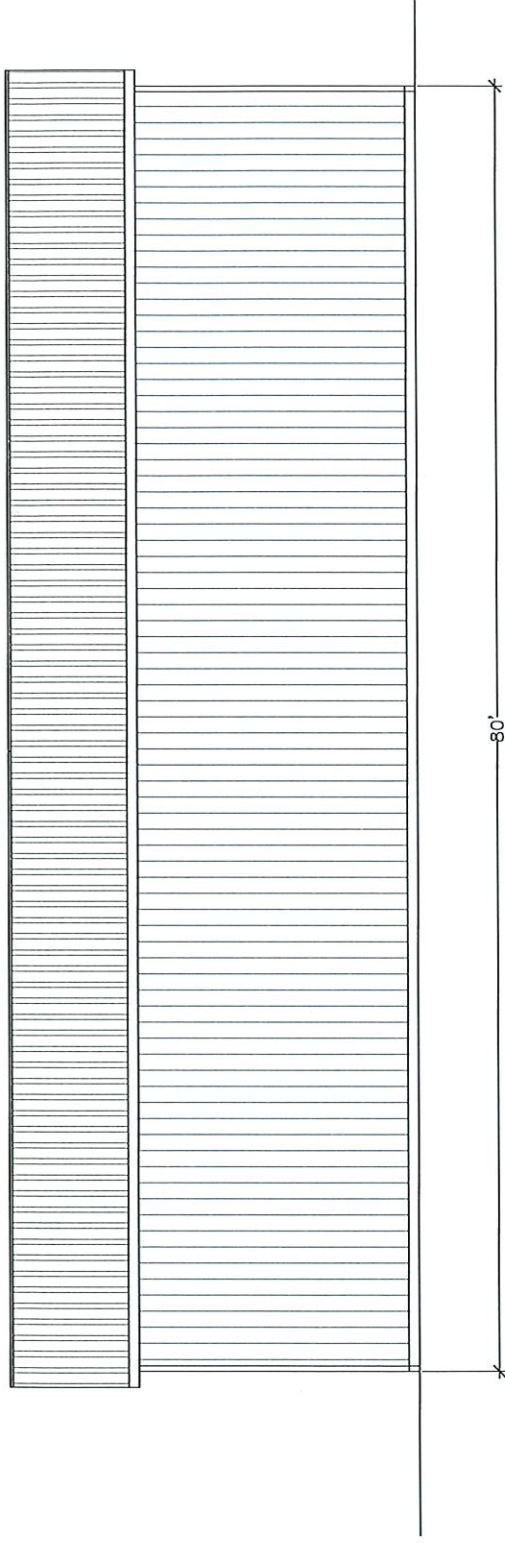
Wooster Buildings LLC.
WOOSTERBUILDINGSLLC.COM

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P.O. BOX 1000
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WWW.SHKLAARCHITECTS.COM

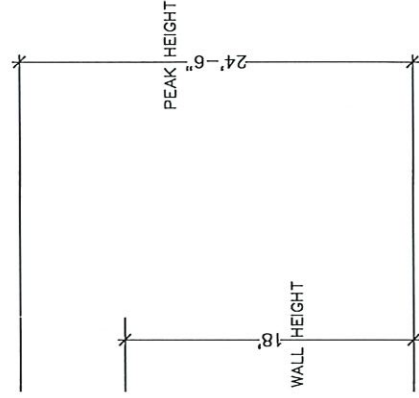


Wootter Buildings LLC.
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EAST AND WEST ELEVATION



NORTH ELEVATION

40'