



# 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 1286 "Nonconforming Uses" and Chapter 1278 "Industrial Districts" as well as Chapter 1270 "Residential Districts"** of the City of North Royalton Zoning Code. Request is being made by Dean Casapis for an accessory structure located at 11810 Abbey Road, also known as PPN: 481-26-005, in Research Office (RO) District zoning. The variances being requested are as follows:

- Variance #1:** Codified Ordinance Section 1286.06(b) "Extension Prohibited" and Section 1278.02 "Use Regulations for Research-Office Districts." Request is for a variance to allow for the extension of a legal non-conforming use to construct a residential accessory structure on a lot zoned Research Office.
- Variance #2:** Codified Ordinance Section 1270.12(a) "Size, Location, Setbacks, and Height for Accessory Buildings and Private Garages". Applicant is proposing to construct a 1,040 sq. ft. accessory structure in addition to the existing accessory structure on the property. Request is for a variance to allow for the construction of a second accessory structure on 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: [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



# 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:

11810 Abbey Rd. North Royalton, OH 44133

Address

PPN: 481-26-005

Permanent Parcel Number

Dean M. Casapis

Occupant, Business or Tenant (if applicable)

RO

5

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:

Dean M. Casapis

Name

11810 Abbey Rd.

Address

North Royalton, OH 44133

City, State and Postal Code

Name of Business (if applicable)

216-374-4345

Phone

ifinance.dean@yahoo.com

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

12/7/2022

Date Application Submitted

\$ 75.00

Application Fee

1/19/2023

Meeting Date Assigned

Chester

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

BZA--23-02

Identification Number Assigned

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.

Construct a 26' x 40' accessory building (1040 sq. ft.) to store tractors, brushhog, and other equipment to maintain 10 acres of land. Most equipment is currently outside.

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

~~Requesting a Use variance per 1278.02 for RO- to build a 2nd enclosed accessory building.~~

~~Requesting an Area Variance for 1270.12 Section A- Rezoned to RO from Residential.~~

- \* 1278.02 USE VARIANCE FOR RESIDENTIAL ACCESSORY STRUCTURE IN RO ZONING
- \* 1270.12 (A) AREA VARIANCE FOR 2ND ACCESSORY STRUCTURE (UNDER 2000 SQ FT ALLOWANCE)
- \* 1286.06 (B) USE VARIANCE REQUESTED TO EXTEND A LEGAL NON-CONFORMING USE IN RO ZONING.



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.

 / Dean M. Casapis  
Applicant Signature, Printed Name and Title

12/6/2022

Date

 / Dean M. Casapis  
Property Owner Signature, Printed Name and Title

12/6/2022

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:** 11810 Abbey 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;

The variance will allow to build an accessory building to store tractors and landscape equipment.

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

Requesting a 2nd accessory building (enclosed). Code was changed 30 days after construction of 1st accessory building (812 sq.ft) Code was changed 30 days after construction to allow up to 2000 sq.ft. for properties over 3 acres. I have 10 acres.

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 neighborhood will not be altered. Ability to maintain 10 acres will esthetically enhance neighborhood with a beautiful building that will house necessary equipment. I also own parcel 481-26-049 in front on Abbey Rd and the new building will be built with a 15 foot setback of that lot and 40 feet setback of adjoining properties to the north & south.

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;

Yes, zoning code change during construction of 1st building. Seeking relief as 1st building was built with zoning guidelines changing to allow up to 2000 sq. ft. under 1270.12.

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;

Cannot feasibly be obviated to build additionally or "add on" to Accessory building built recently. It will not be feasible to take out existing walls and attempt to "re-construct" an already built building.

---

---

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. The integrity of the neighborhood will be preserved ~~to~~ have a greater ability to maintain the 10 acres of land. While upholding the goals of the zoning code, the code was change 30 days after building. The structure initially built is too small to house all the necessary equipment needed to maintain land.

---

---

# CITY OF NORTH ROYALTON BOARD OF ZONING APPEALS APPLICATION

## QUESTIONS RELATIVE TO USE VARIANCES ONLY

Address of subject property: 11810 Abbey Rd. North Royalton, OH 44133

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.)

Rezoned as part of Master Plan. Need additional enclosed building to store tractors & additional equipment to maintain 10 acres of land.

- 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.

No. Property currently borders R1A.

- 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.

No altering to character of neighborhood and no impact to public welfare.

- 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.

Property is within a legal non conforming use and a variance is requested in the spirit of the pre-existing residential use.

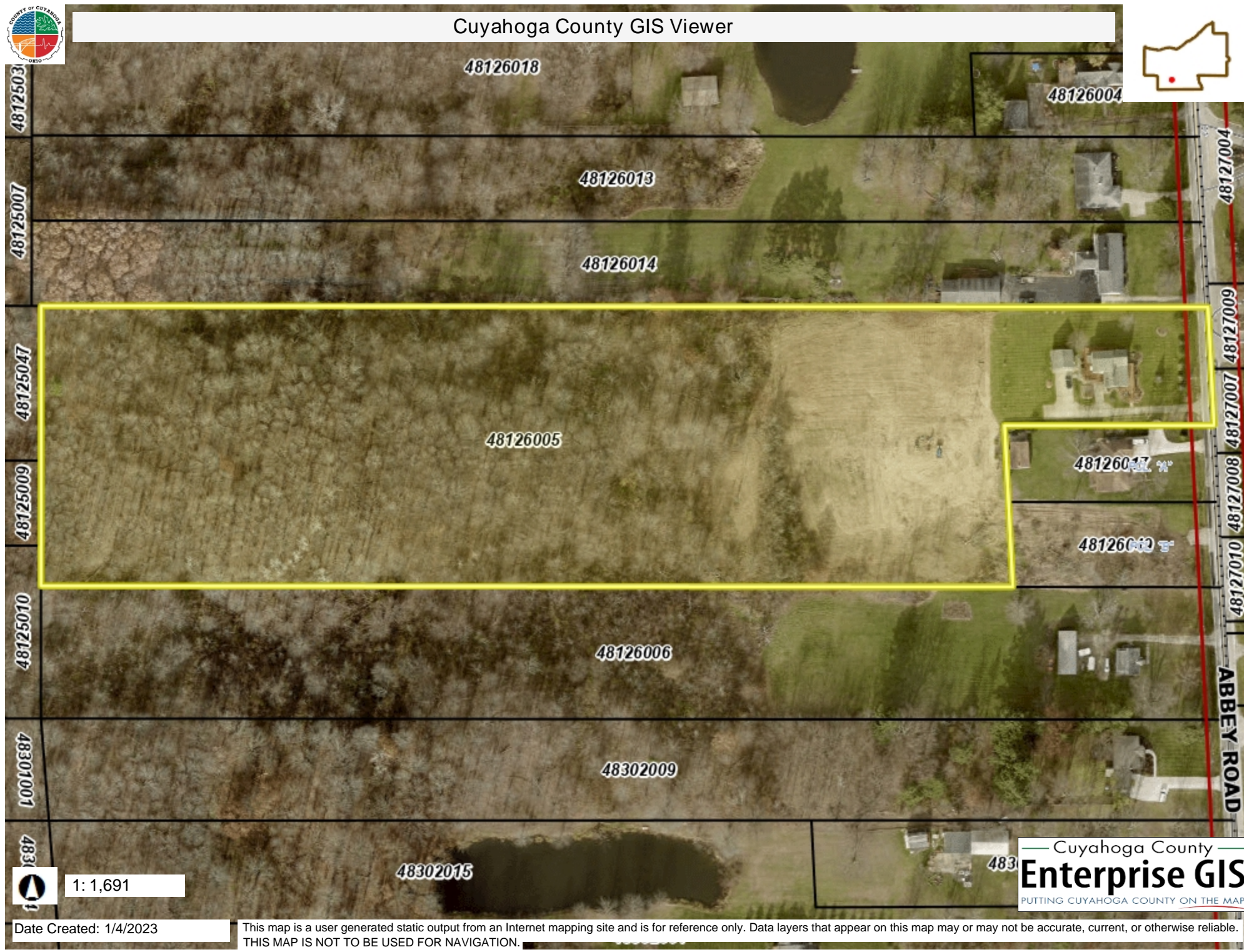
- E. The variance sought is the minimum which will afford relief to the applicant.

Variance will provide relief, have no impact to adjoining properties, and will esthetically enhance 10 acres and overall neighborhood with our ability to maintain.





# Cuyahoga County GIS Viewer



1:1,691

Date Created: 1/4/2023

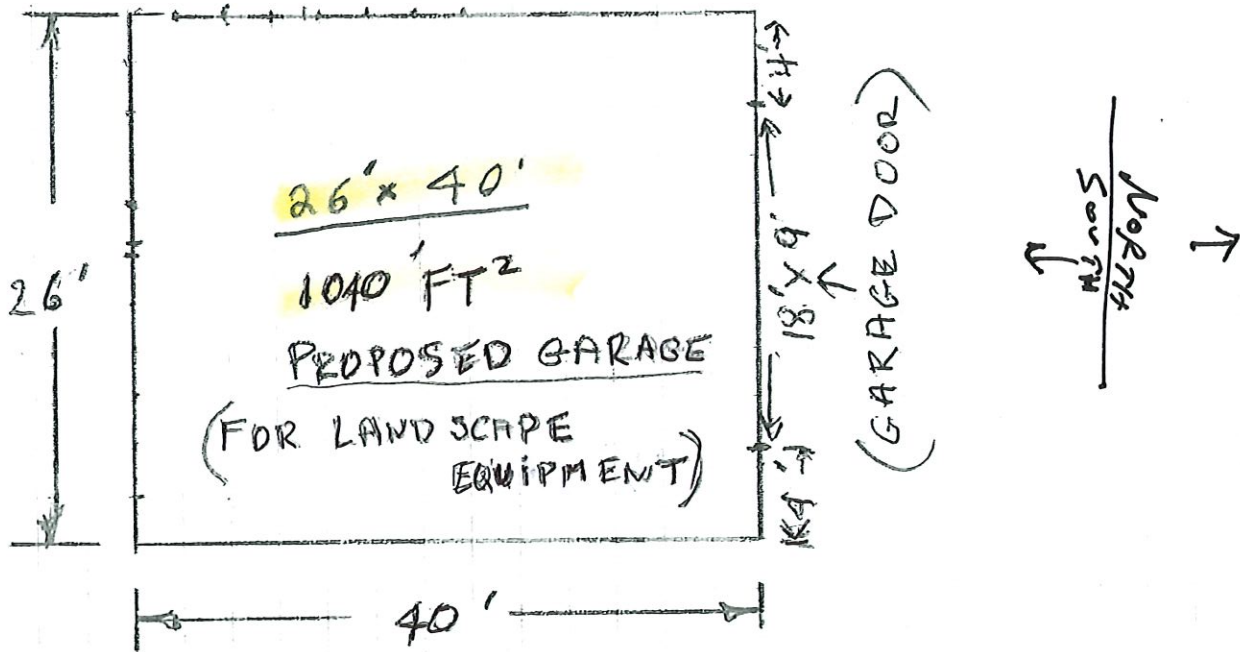
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Cuyahoga County  
**Enterprise GIS**  
PUTTING CUYAHOGA COUNTY ON THE MAP



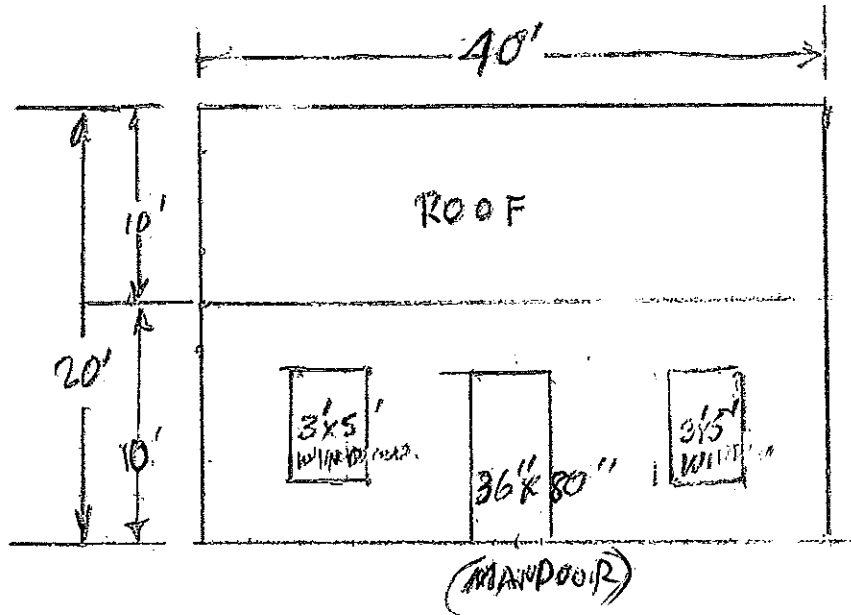
PROPOSED GARAGE  
11810 ABBEY RD

PLAN VIEW



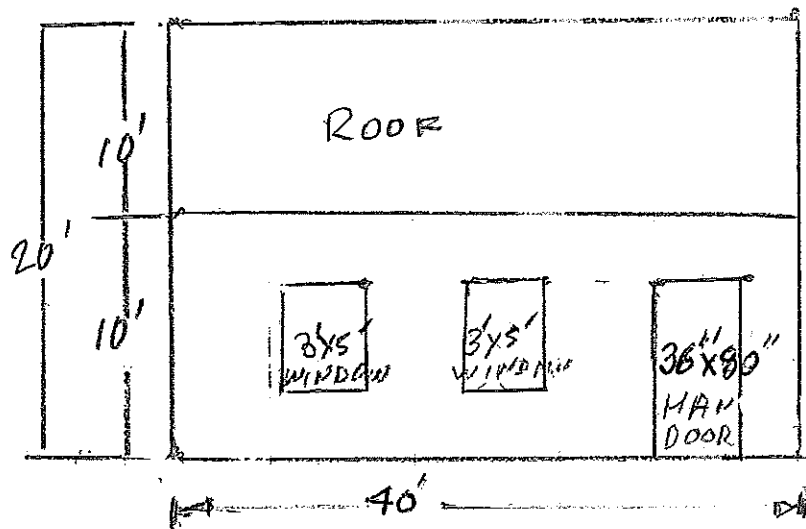
PROPOSED GARAGE  
11810 ABBEY RD

FRONT VIEW.



PROPOSED GARAGE  
11810 ABBEY RD

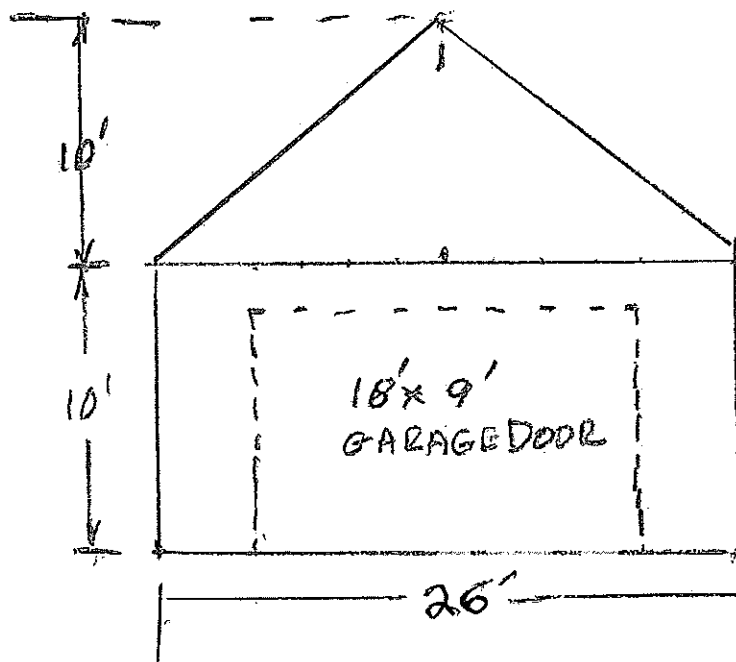
REAR VIEW



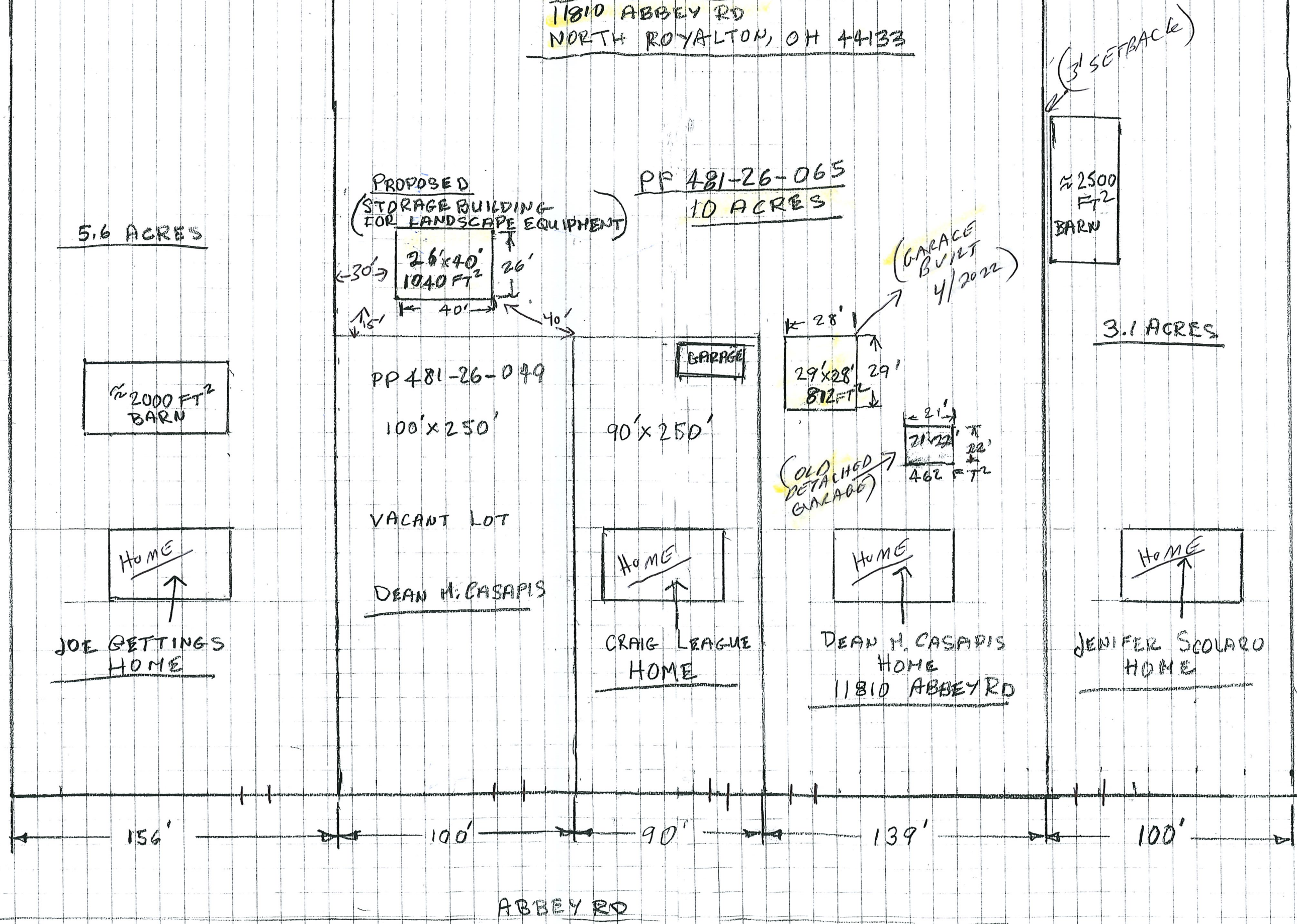


PROPOSED GARAGE

NORTH VIEW



DEAN M CASAPIS  
11810 ABBEY RD  
NORTH ROYALTON, OH 44133



5.6 ACRES

PROPOSED  
(STORAGE BUILDING  
FOR LANDSCAPE EQUIPMENT)

PF 481-26-065  
10 ACRES

(3' SETBACK)

~2500  
FT²  
BARN

3.1 ACRES

~2000 FT²  
BARN

PP 481-26-049

100'x250'

GARAGE

90'x250'

28'x29'  
812 FT²

(OLD  
DETACHED  
GARAGE)

21'x22'  
462 FT²

HOME  
↑

JOE GETTINGS  
HOME

VACANT LOT

DEAN M. CASAPIS

HOME  
↑

CRAIG LEAGUE  
HOME

HOME  
↑

DEAN M. CASAPIS  
HOME  
11810 ABBEY RD

HOME  
↑

JENIFER SCOLARO  
HOME

156'

100'

90'

139'

100'

ABBNEY RD