



# 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, **September 28, 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 May for an accessory shelter located at 4322 Eagle Point, also known as PPN: 488-22-063, 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." Code requires that accessory buildings be located 20 feet from any dwelling. Applicant is requesting a variance of 12 feet to place an accessory shelter, defined as a type of accessory building, 8 feet from the dwelling.

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 September 27<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

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:

4322 EAGLE PT

Address

PPN: 488-22-063

Permanent Parcel Number

Occupant, Business or Tenant (if applicable)

R1-A

Zoning District

Ward No.

HOA Name: EAGLES WEST

Letter of Approval Rec'd: Yes or No

Letter of Denial Rec'd: Yes or No

### 2. Property Owner:

ROBERT + KAREN MAY

Name

4322 EAGLE PT

Address

NORTH ROYALTON, OH 44133

City, State and Postal Code

Name of Business (if applicable)

440-237-1096

Phone

MAYBKNA@YAHOO.COM

Email (electronic mail)

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

ROBERT MAY

Name

4322 EAGLE PT

Address

NORTH ROYALTON, OH 44133

City, State and Postal Code

Name of Business (if applicable)

440-237-1096

Phone

MAYBKNA@YAHOO.COM

Email (electronic mail)

### For Office Use Only

08/10/2023

Date Application Submitted

\$ 75.00

Application Fee

09/28/2023

Meeting Date Assigned

Cash #9211

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

BZA-- 23-17

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.

I am requesting a 12 foot variance from the standard 20 foot from a dwelling for 2 reasons. First of all the location of the project (pavilion) is the ideal one. We are planning to put a large table underneath that would then be around existing outdoor furniture in that area. The proximity to the deck and rear door makes it very accessible. It would be built on the existing concrete around the pool. The second reason is to meet the 20 foot requirement I would have to put it along the back side of the pool. The ground slopes down and away from the concrete there. It would be difficult and expensive to pour a concrete pad there. I would also have to remove some fence and install additional fence around the pavilion to make it accessible to the pool. At that location one would have to walk over 75 feet to access it from the house. That would also put 2 groups of people about 30-40 feet apart. From a social stand point that wouldn't work.

### 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) REQUESTING A VARIANCE  
OF 12 FEET FROM THE 20 FEET REQUIRED  
FROM ANY DWELLING

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 May ROBERT MAY (OWNER) 8/7/2023  
Applicant Signature, Printed Name and Title Date

Robert May ROBERT MAY 8/7/2023  
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: \_\_\_\_\_

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;

YES

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

SUBSTANTIAL: PAVILION WOULD BE LOCATED ON  
EXISTING PAD AROUND SWIMMING POOL. INTENDED TO  
SUPPLY SHADE IN POOL AREA

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, WOULD MAINLY BE HIDDEN FROM STREET BY HOUSE

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;

*N/A*

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

*YES*



# EAGLES WEST HOMEOWNERS ASSOCIATION

1

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August 7, 2023

Reference: 4322 Eagle Pt.

Mr. May contacted me with a request for a variance for a pavilion he wishes to build. He has requested a 12 foot variance from the standard 20 feet from a dwelling. I am happy to say we are okay with that and approve it.

Mike Ressler, HOA President





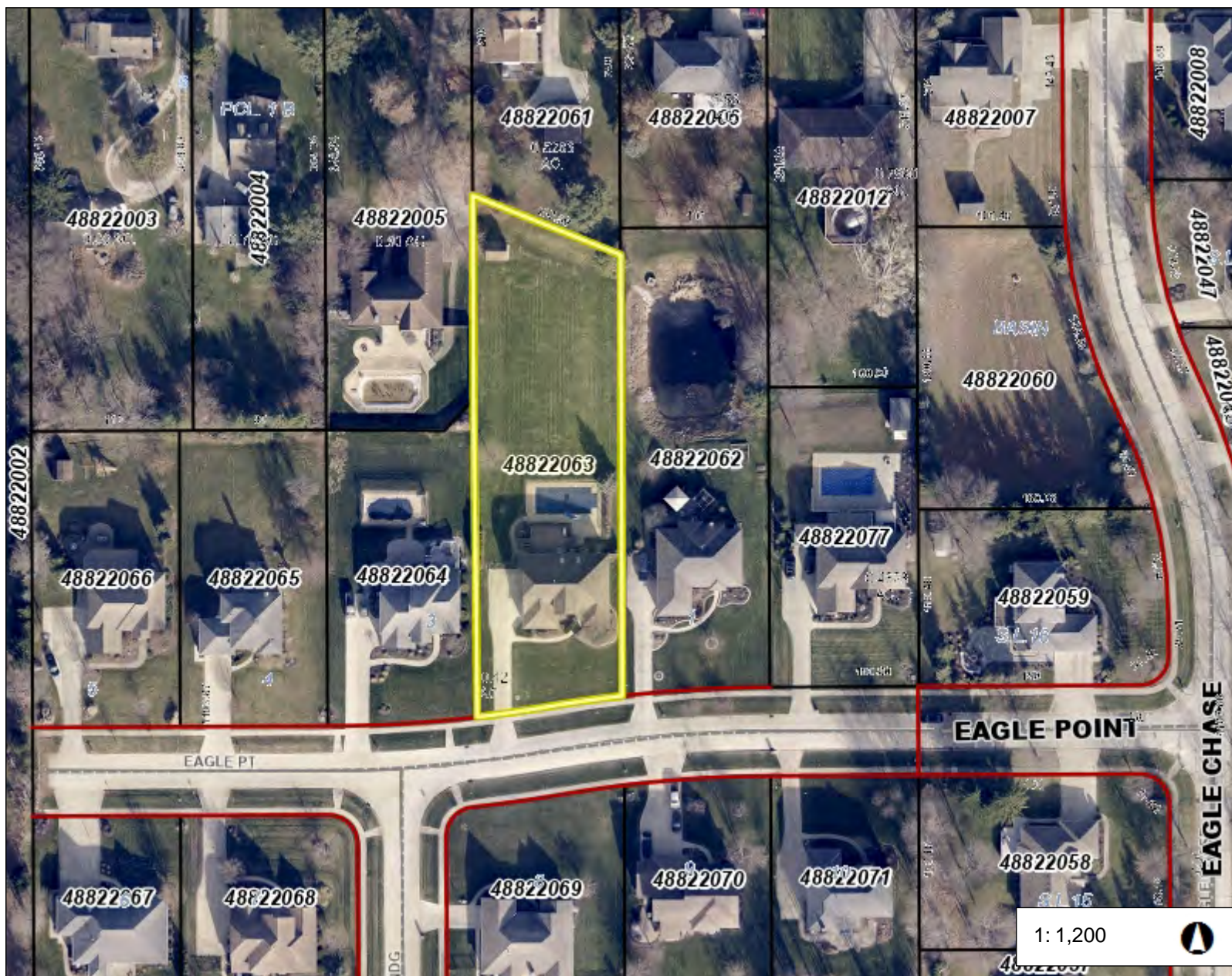
# Cuyahoga County GIS Viewer



Date Created: 8/11/2023

## Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel



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



**SURVEY MAP & PLOT PLAN MADE FOR**  
**TEAM BUILDERS**  
 SUBLOT # 2 EAGLES WEST SUBDIVISION  
 RECORDED IN REC. VOL. 340, P 60-61  
 ORIGINAL ROYALTON TWP. LOT # 18  
 CUYAHOGA COUNTY, OHIO.

ORDER NO. 06-156  
 F.B. 792  
 PGS. 121 & 125-126  
 SCALE: 1" = 30'  
 DATE: 8-9-06

PARCEL NO. 488-22-063

4322 EAGLE POINT

BENCHMARK:

TOP OF HYDRANT AT SUBLOT #8 ELEVATION 1236.03

NOTES:

CONTRACTOR TO VERIFY BENCH MARK WITH EXISTING CURB ELEVATIONS  
 CONTRACTOR TO VERIFY TYPE OF CONNECTION - I.E. SAN OR STM  
 CONTRACTOR TO VERIFY CONNECTION ELEVATIONS BEFORE EXCAVATING

IRON PIN MONUMENTS AND STAKES WERE FOUND OR SET  
 AT ALL POINTS INDICATED HEREON. ALL DISTANCES AND  
 ELEVATIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.  
 ALL OF WHICH I STATE TO BE CORRECT.

#1463 Royalton

FOOTER TO BE A MINIMUM OF 3' BELOW NATURAL GRADE  
 EXTEND FOOTERS TO SOIL BEARING A CAPACITY  $\geq 3000$  psf.  
 ① STM + SAN CONN.'S TO BE 6" PVC-SDR35 @ 1% min.

HOFMANN-METZKER, INC.

REGISTERED PROFESSIONAL SURVEYOR  
 24 BEECH ST., BEREA, OH 44004  
 440-234-7351 FAX: 440-234-7351

BY: *[Signature]*  
 REGISTERED SURVEYOR HOFMANN  
 6752

P.P. 488-22-005  
 QUEENSWOOD  
 DEVELOPERS, INC  
 AFN  
 200406150963  
 #4473

(C1)  
 R=882.67'  
 L=145.73'  
 T=73.03'  
 D=09°27'34"  
 Ch=145.56'  
 S84°59'13"W

*sump pump recommended  
 but not required.*

PINS MUST BE SET  
 PRIOR TO ISSUANCE  
 OF OCCUPANCY PERMIT

(C2)  
 R=942.67'  
 L=105.61'  
 T=52.86'  
 D=06°25'03"  
 Ch=105.55'

83°28'00"E BUILDER AND OWNER HAVE  
 RESPONSIBILITY FOR FINAL  
 GRADING AND DRAINAGE

(14)  
 R=912.67'  
 L=50.48'  
 T=25.25'  
 D=03°10'09"  
 Ch=50.48'  
 N81°50'31"E

S/L 3  
 VACANT  
 PROP GR  
 1240.40

(15)  
 R=912.67'  
 L=50.48'  
 T=25.25'  
 D=03°10'09"  
 Ch=50.48'  
 S81°50'30"W

#### VARIOUS ELEVATIONS

FIRST FLOOR	1240.17
TOP OF FOUNDATION	1239.17
BASEMENT FLOOR	1231.50
TOP OF FOOTER	1231.17
BOTTOM OF FOOTER	1230.50
GARAGE FLOOR	1238.83

SAN MH  
 RIM 1236.09  
 INV W 1225.84  
 INV E 1224.41  
 INV S 1224.47

PRORATED SEWER CONN.  
 STM C.O. AS-BUILT 1228.54  
 STM @ HOUSE 1228.1  
 SAN C.O. AS-BUILT 1223.76  
 SAN @ HOUSE 1224.3

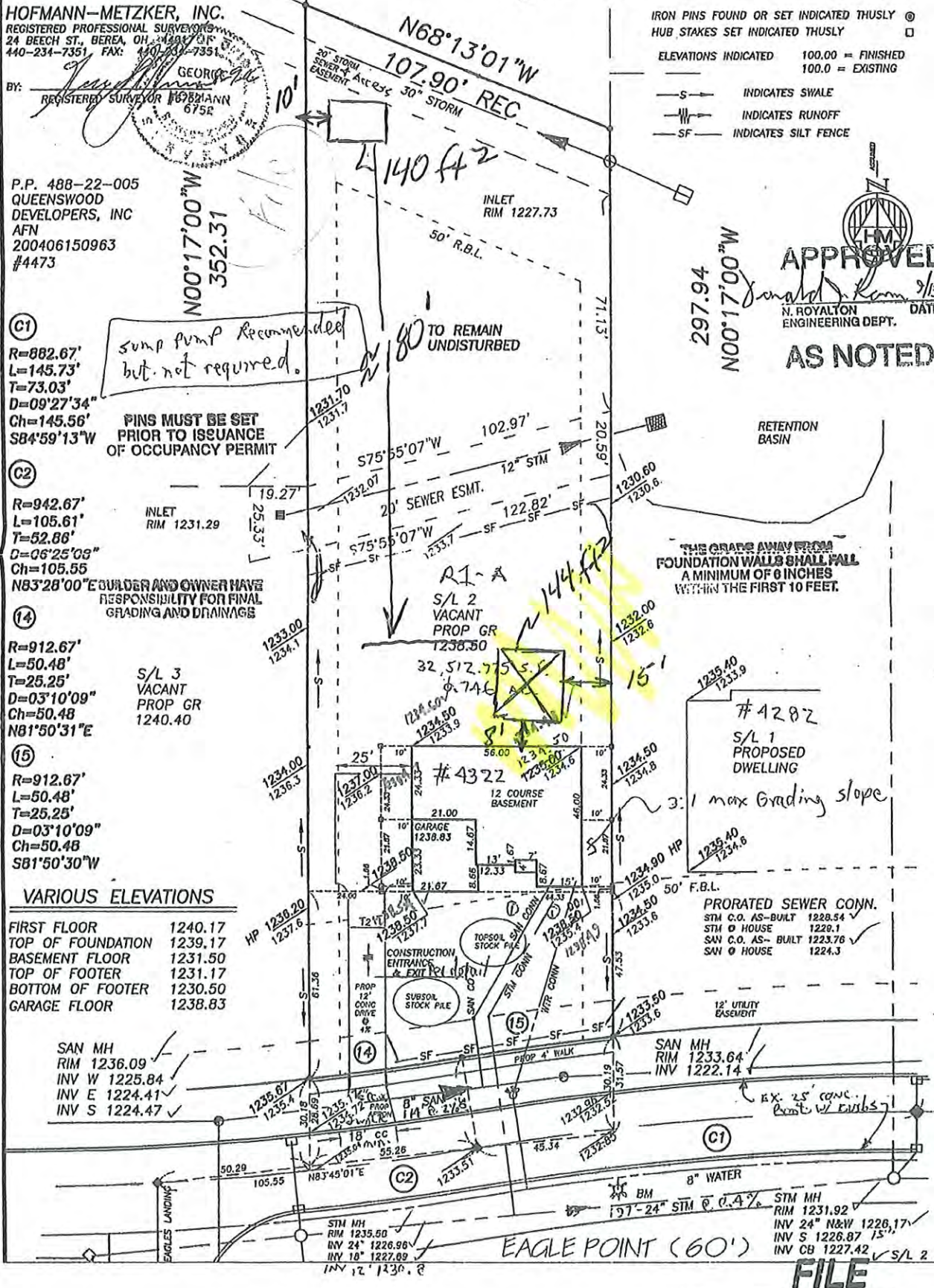
12" UTILITY  
 BASEMENT

SAN MH  
 RIM 1233.64  
 INV 1222.14

EX. 25' CONC.  
 BENT W/ CURBS

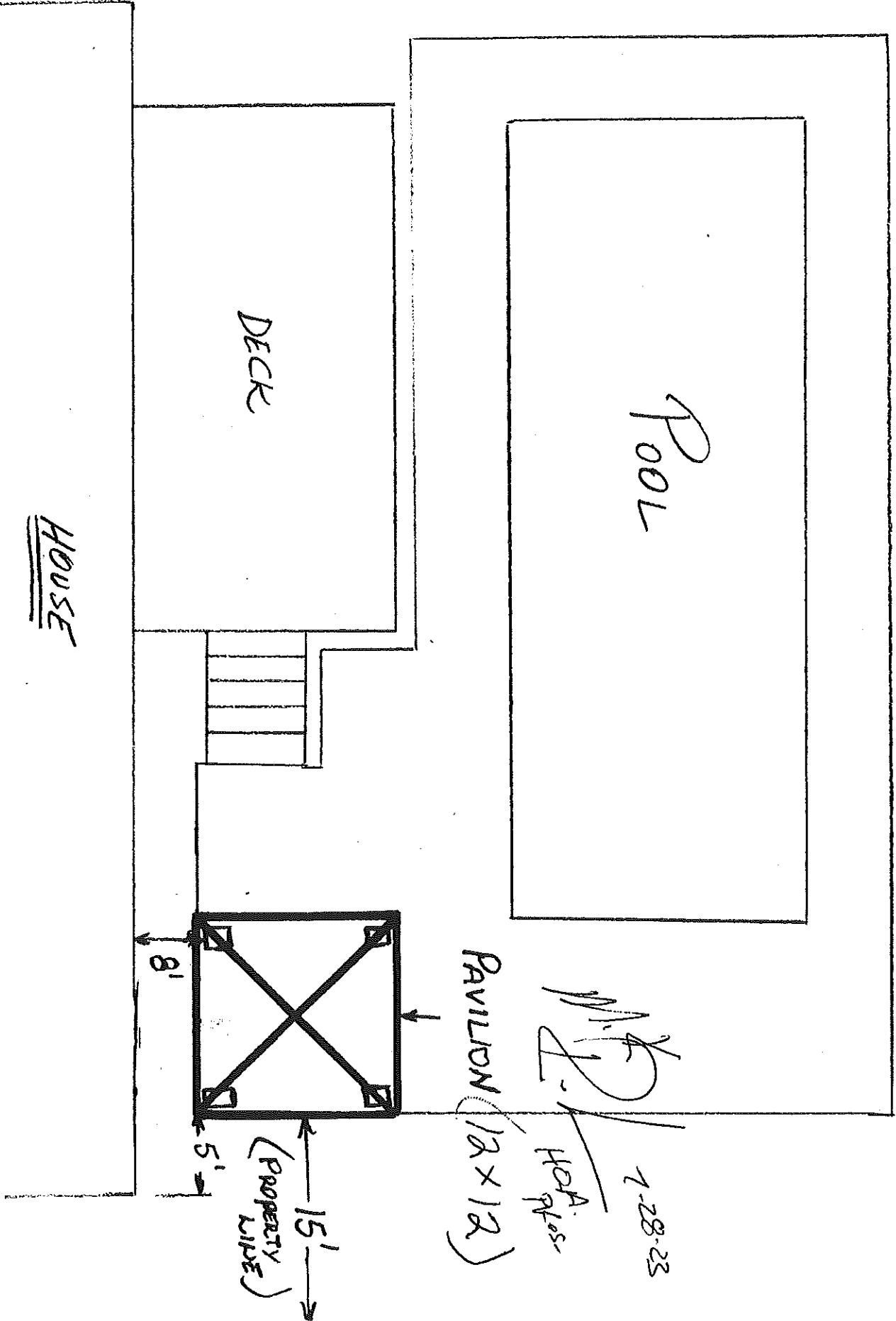
EAGLE POINT (60')

FILE



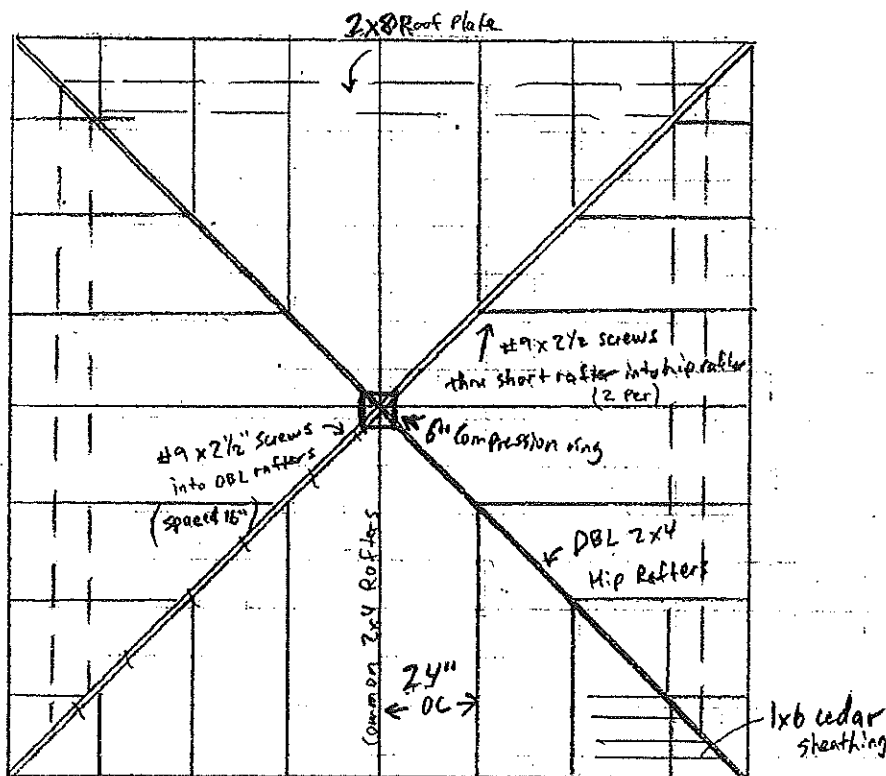
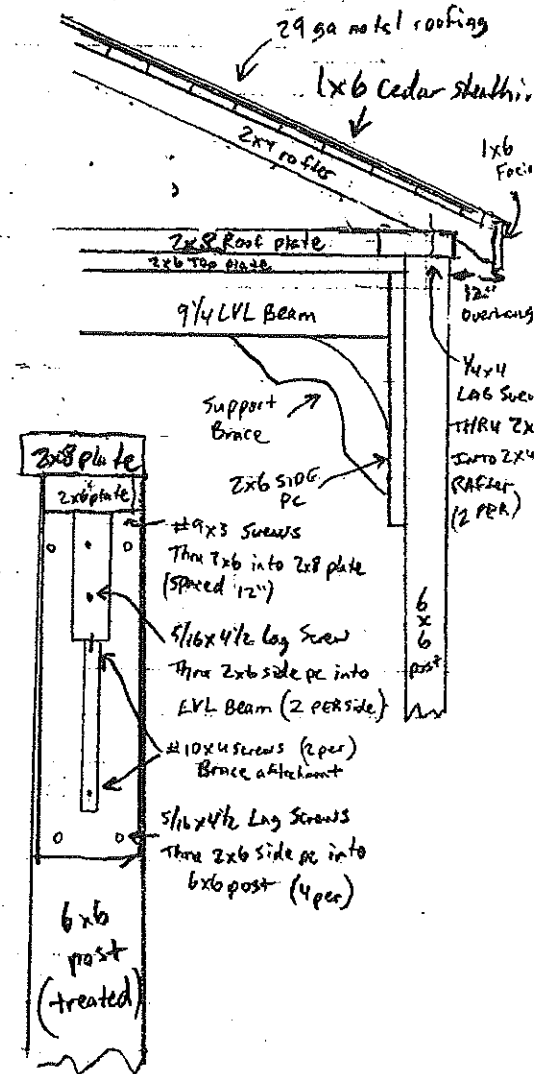
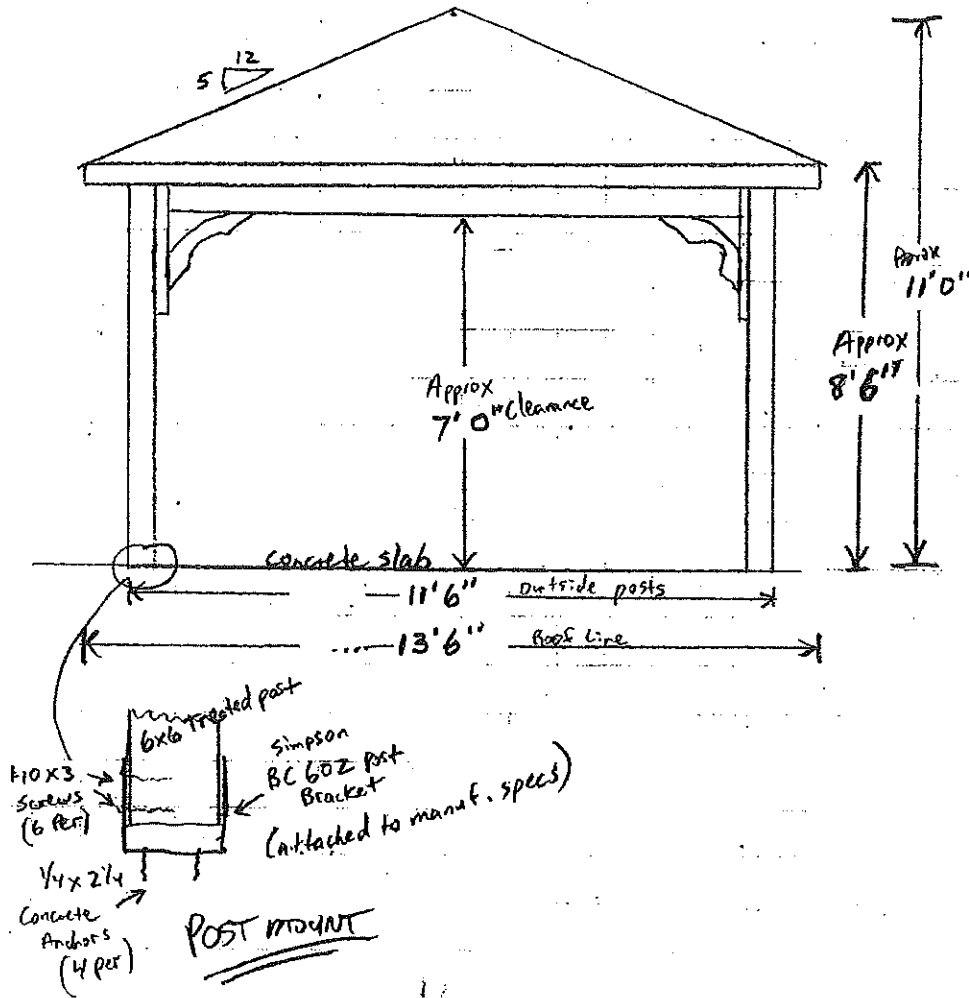
\* 10' x 14' SHED IN BACK LEFT  
CORNER OF YARD

4322 EAGLE PT.





# 12x12 Vinyl Pavilion (Typ Construction)



- \* All beams and roof panels are pre-made into sections to be assembled on-site
- \* All exposed beams, posts, and fascia to be Vinyl wrapped.
- \* All screws and hardware compatible for exterior use
- \* All Lumber to be KDRT SYP unless otherwise noted.

Pine Acres Woodcraft  
123 Pleasant Valley Rd NW  
Sugar Creek, OH 44681

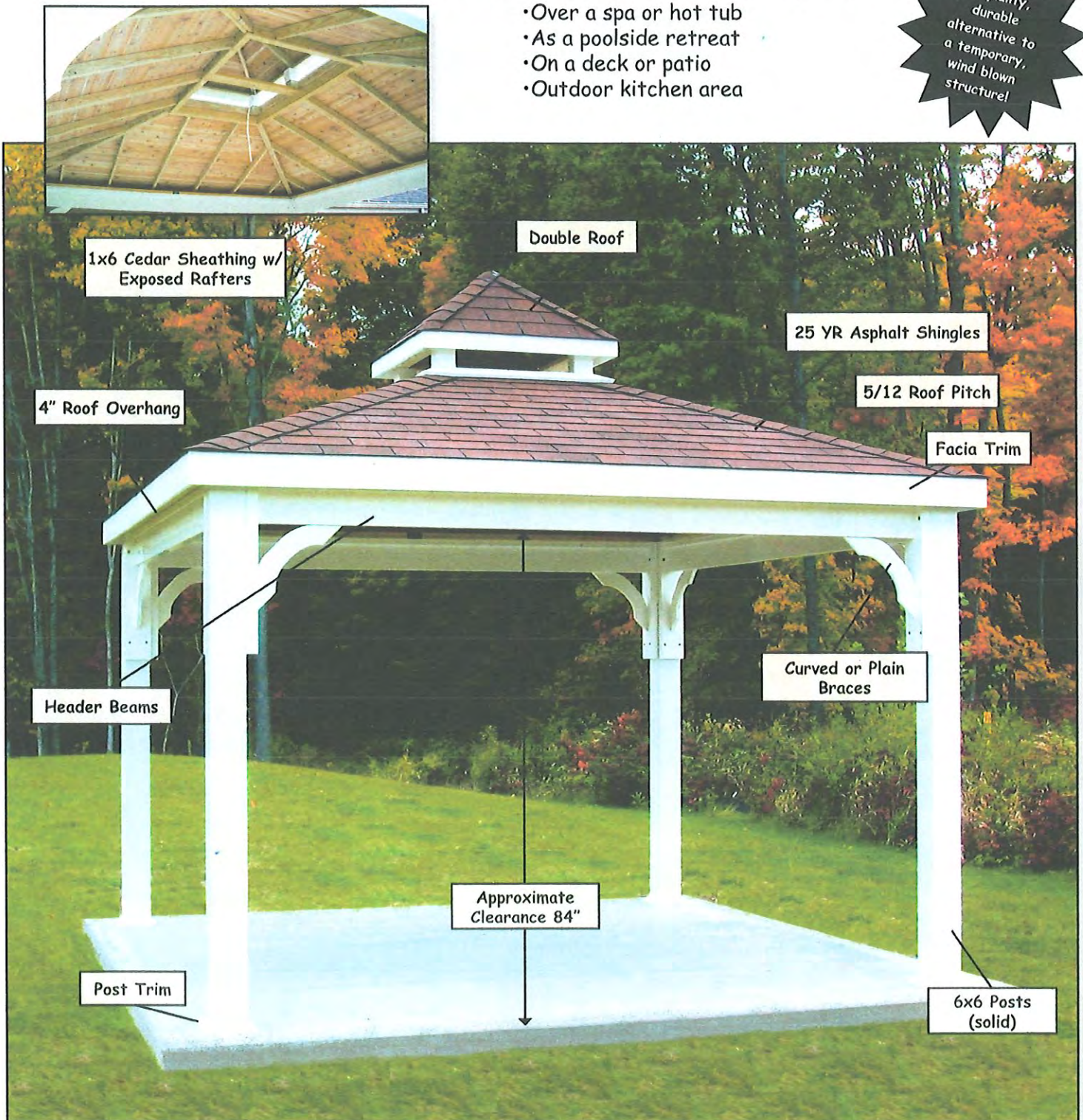
22A-BK-1-10-10

# Pavilion Series

A versatile structure that can be installed basically anywhere....

- Over a spa or hot tub
- As a poolside retreat
- On a deck or patio
- Outdoor kitchen area

A quality, durable alternative to a temporary, wind blown structure!



Standard Features Shown Above are Included in the Base Price



# Design Your Pavilion

## 1. Material



treated pine



western red cedar  
(rough sawn or smooth)



vinyl

## Vinyl Colors



white

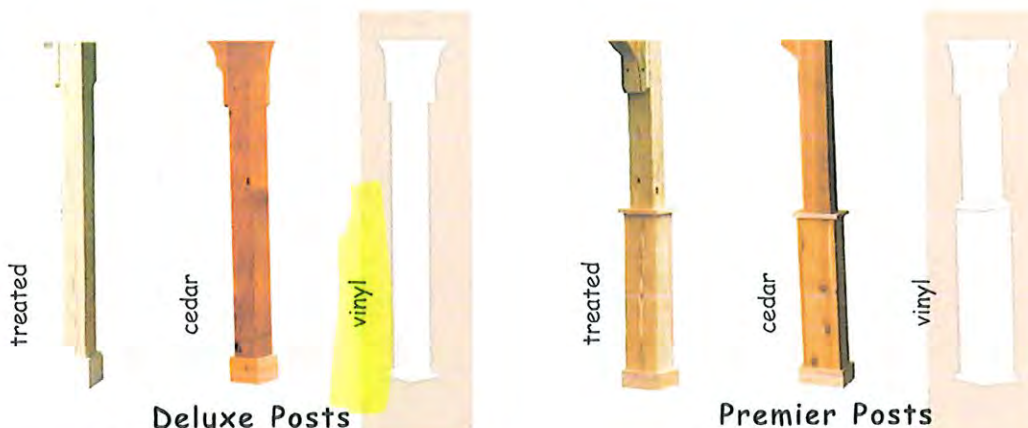
tan

clay

## 2. Standard Sizes

sizes	outside post measurement	roof line with standard overhang	roof line with 12" extended overhang
8x8 . . . . .	90"x90"	98"x98"	114"x114"
10x10 . . . . .	114"x114"	122"x122"	138"x138"
10x12 . . . . .	114"x138"	122"x146"	138"x162"
10x14 . . . . .	114"x162"	122"x170"	138"x186"
10x16 . . . . .	114"x186"	122"x194"	138"x210"
12x12 . . . . .	138"x138"	146"x146"	162"x162"
12x14 . . . . .	138"x162"	146"x170"	162"x186"
12x16 . . . . .	138"x186"	146"x194"	162"x210"
12x20 . . . . .	138"x234"	146"x242"	162"x258"
12x24 . . . . .	138"x282"	146"x290"	162"x306"
14x14 . . . . .	162"x162"	170"x170"	186"x186"
14x16 . . . . .	162"x186"	170"x194"	186"x210"
14x20 . . . . .	162"x234"	170"x242"	186"x258"
14x24 . . . . .	162"x282"	170"x290"	186"x306"
16x16 . . . . .	186"x186"	194"x194"	210"x210"
16x20 . . . . .	186"x234"	194"x242"	210"x258"
16x24 . . . . .	186"x282"	194"x290"	210"x306"
20x20 . . . . .	234"x234"	242"x242"	258"x258"
24x24 . . . . .	282"x282"	290"x290"	306"x306"

## 3. Post Style



Deluxe Posts

Premier Posts



## 4. Brace Style



plain



curved



victorian  
(only available in vinyl)  
(additional charge)



HD curved  
(only available in cedar)  
(additional charge)



solid curved  
(additional charge)

## 5. Roof Style



single roof  
(deduction from base price)



double roof



triple roof  
(additional charge)

## 6. Ceiling Options



### Standard Ceiling

Exposed pressure-treated framing with 1x6 cedar sheathing. Cedar framing is used for cedar pavilions. An optional wood sealer may be applied to reduce the graying effects of natural weathering. See page 15 for standard color choices.



### Painted Ceiling

Framing can be stained to match main pavilion components or most any custom color. Sheathing boards can be stained or in any of the 5 standard colors shown on page 15.



### Cedar T&G Ceiling

Cedar tongue and groove boards are fastened to the underside of the roof framing for a finished appearance. An optional wood sealer may be applied. See page 15 for color choices.



### Vinyl Ceiling

Beaded vinyl soffit is fastened to the underside of the roof framing for a finished appearance. All exposed wood is covered for a complete maintenance-free pavilion. Available in the three standard vinyl colors shown on page 12.



# Design Your Pavilion

## 7. Roofing Options

25 YR 3 tab



desert tan



brownwood



green



aspen gray



estate gray



driftwood



black

### Dimensional

30 YR shingles (additional cost)



desert tan



brownwood



green



sierra gray



estate gray



driftwood



black

### Metal Roofing

40 YR (additional cost)



gallery blue



green



burgundy



rustic red



bright red



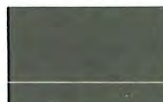
white



clay



brown



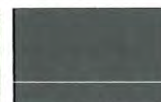
bronze



light gray



charcoal



black



galvalume

## 8. Installation Method



### Option 1 Installed on Deck or Concrete Pad

Hidden galvanized post brackets and anchors are used for securing posts to solid, weight bearing surfaces.



### Option 2 Installed with Posts in Ground

Holes are dug below frost level, then pre-made concrete footer pads are placed at the bottom of each hole. The posts are then placed on top of the footer pads and the dirt is tamped back into place. This option is recommended for dirt areas, loose paver patios, or any other areas that do not have solid, weight bearing surfaces.

## Rough Wiring Package

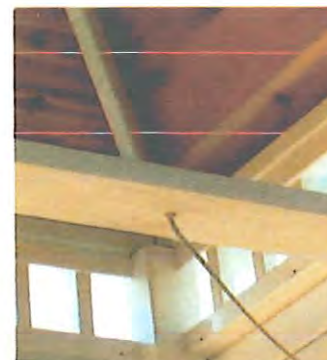
Includes channeling of one post to accommodate hidden wiring from switch to cross-brace for fan/light. Additional channeling or wiring for receptacles is available for an additional cost. Wire ends will be stubbed out and accessible for an electrician to do final hook up etc.



vinyl



wood



crossbrace for fan/light



# Extra Pavilion Options

## Flooring Options



### Envision Composite

- Authentic, deep lasting grains
- Stain, splinter, slip resistant
- 25 year warranty

### Azek PVC

- Stain, scratch, split, and mold resistance
- Durable and long lasting
- Limited lifetime warranty



slate gray



brownstone



kona



Treated Pine Decking



harbor gray



caribou brown



canyon ridge



woodland bark

## Wood Sealer



natural



cedar



redwood



smoke



walnut

## Privacy Walls



cedar T&G



vinyl



wood or vinyl railing

## Outdoor Blinds

Available from 4ft to 10ft widths. Comes with manual pull chain and are adjustable to pull down to a maximum of 7ft. Note: due to fabric availability colors with \* will have a seam sewn at 5ft height.



\*olive tweed



\*ash tweed



\*coal tweed



almond tweed



winter wheat



dark bronze

## Misc.



double roof spindles



extended 12" roof overhang



arched beams

8x8 posts available in vinyl & cedar only

Extended Post height standard post height is 8ft which allows a clearance of approx 84" below the header beams. Longer posts are available for certain situations where extra height is desired, up to a maximum of 9ft.