

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, **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 Scott VanDenHaute on behalf of Dutch Valley Homes, Inc., for a new home located at 4194 Brookhaven Drive, also known as PPN: 486-25-034, in Residential R1-A District zoning. The variances being requested are as follows:

Variance #1: Codified Ordinance Section 1270.05 "Schedule of Area, Yard and Height

Regulations." Code requires a minimum front yard setback of 45 feet for homes in the R1-A district. Applicant is requesting a variance of 4.36 feet in order to construct a

new home 40.64 feet from the right of way.

Variance #2: Codified Ordinance Section 1270.12(a) "Size, Location, Setbacks and Height for

Accessory Buildings and Private Garages." Code permits each residential lot to have one attached or detached private garage. Applicant is requesting a variance to

construct a second attached private garage.

Variance #3: Codified Ordinance Section 1270.12(a) "Size, Location, Setbacks and Height for

Accessory Buildings and Private Garages." Code permits a dwelling that is between 1,800 square feet to 4,000 square feet to have up to 1,000 square feet of private garage space. Applicant is requesting a variance of 438 square feet in order to

construct a dwelling with 1,438 square feet of private garage space.

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 27th 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 follow	ving property:
4194 Brookhaven drive	
Address	Occupant, Business or Tenant (if applicable)
PPN: 486-25-034	R1-A $P_{\text{total}} = P_{\text{total}} = P_{\text{total}}$
Permanent Parcel Number	Zoning District Ward No. HOA Name: PINE HILL Letter of Approval Rec'd: Yes or No. Letter of Denial Rec'd: Yes or No.
2. Property Owner:	
Dutch Valley Homes, Inc.	Dutch Valley Homes, Inc.
Name	Name of Business (if applicable)
222 Concord Lane	330-225-0286
Address	Phone
Hinckley, OH 44233	gary@dutchvalleyhomes.com
City, State and Postal Code	Email (electronic mail)
Name 222 Concord Lane Address	Dutch Valley Homes, Inc. Name of Business (if applicable) 440-552-7221 Phone
Hinckley, OH 44233	scott@dutchvalleyhomes.com
City, State and Postal Code	Email (electronic mail)
For Office Use Only OB/29/2023 O9/	128/2023 BZA 23-19
Date Application Submitted Meeting	Date Assigned Identification Number Assigned
	eW# 1333/ I.R.
Application Fee Paymen	nt Information (date, check number, cash, etc.) Received by
Other Application Fee Information	

Other Application Fee Information

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.
Property at 4194 Brookhaven Dr. is a irregular shaped culdesac property with several special
conditions/circumstances that are inherently present on this lot that affect available area for
construction and viable remaining yard use of new proposed single family home dwelling.
There is a 30' telegraph easement that runs across entire rear property line and another 20'
storm sewer easement that is running the entirety of the west property line. We have
attempted to keep this single story design as close to the front setback line as possible, but even staying near minimum square footage requirement for single story home design (2300sf),
to do so will require an infringement of approximately 4.36 feet into the front setback line of
45 feet.
We are requesting a second variance for garage size in excess of 1000sf (proposed is 1, 438s f)
l circumstances present issues w/minimum sq. footage, Lesisnof home Adad driveway. Les has watercraft and wants to keep his vehicles amount of elements and eye sight neighbors. Not much space left for garbage cans, furnitume, bikes, laun equipments etc. 6. Description or the nature of the variance(s) requested and the corresponding Section(s) from the City of North Royalton Code of Ordinances.
The variances requested (front set back and garage size) are both "Area Variance" requests.
Front Setback variance (4.36ft): 1270.05
Garage size variance (438sf): 1270.12(a)
Se cond Attached Garage 1270.12(a) Variance

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 revocati	on of this license if issued.
A	to It I I Troficet Minager	E. 20.23
_	Applicant Signature, Printed Name and Title	Date
	The Der Mile I President	8.20.23
	Property Owner Signature, Printed Name and Title	Date
	Gay Van Dentlante	
X	CITY OF NORTH ROYALTON BOARD OF ZONING A	APPEALS APPLICATION
	7. Written Authority Form (complete this form if you are unable to (submit original – do not fax or email)	o be present at meeting).
	1, GARY VAN For HANTE (name) of Du	/
	(company, if applicable), hereby certify that I/we are the _	
	(owner(s), executor(s), etc.) of 4194 BrookHaven	
	permanent parcel number) and further verify that	v Dea Haut E (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 Appeal	S.
	X (These) 8-3	0-2-3
	Signature Or Tott Jackey House Date	
	Before me, a Notary Public in and for said county, personally appear	ared GARY VAN DEN HAUT
	who acknowledged that he or she did sign the foregoing instrume	nt and the same is his or her free
	act and deed.	
	In testimony where of I have hereunto set my hand and official seal	at North Royalton,
	Ohio of this 30 th day of August, 20 23	•
	Julieama M. Coon	
	Notar/ Signature	
	Seal: JULIEANNA M. COON Notary Public, State of Ohio My Commission Expires February 27, 2028	
	State of Ohio	
	County of Cuyahoga	

QUESTIONS RELATIVE TO AREA VARIANCES

Address of subject property: 4194 Frooklimen Dv.
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; Given the special conditions and circumstances (telegraph easement and storm easement) on this irregular shaped property, it has proven to be extremely difficult to position a proposed home design on this property that still remains within the existing setback/easement requirements.
B. Whether the variance is substantial or is the minimum necessary to make possible the reasonable use of the land or structure; We feel the variances requested are minimum necessary to make possible the reasonable use of the new proposed structure. The irregularity of the lot shape, the existence of the 30' telegraph easement and 20' storm sewer easement have infringed upon options for homesite placement, size and design and we feel that this request is a minimum to accommodate
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 feel that the proposed home design is aesthetically pleasing, conforms to the surrounding home designs and will be a positive to the neighborhood. We see no detriment to adjoining properties as a result of these variance requests being granted.
D. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage collection); There would be no adverse effect of delivery of governmental services due to these variance
requests being granted.
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;

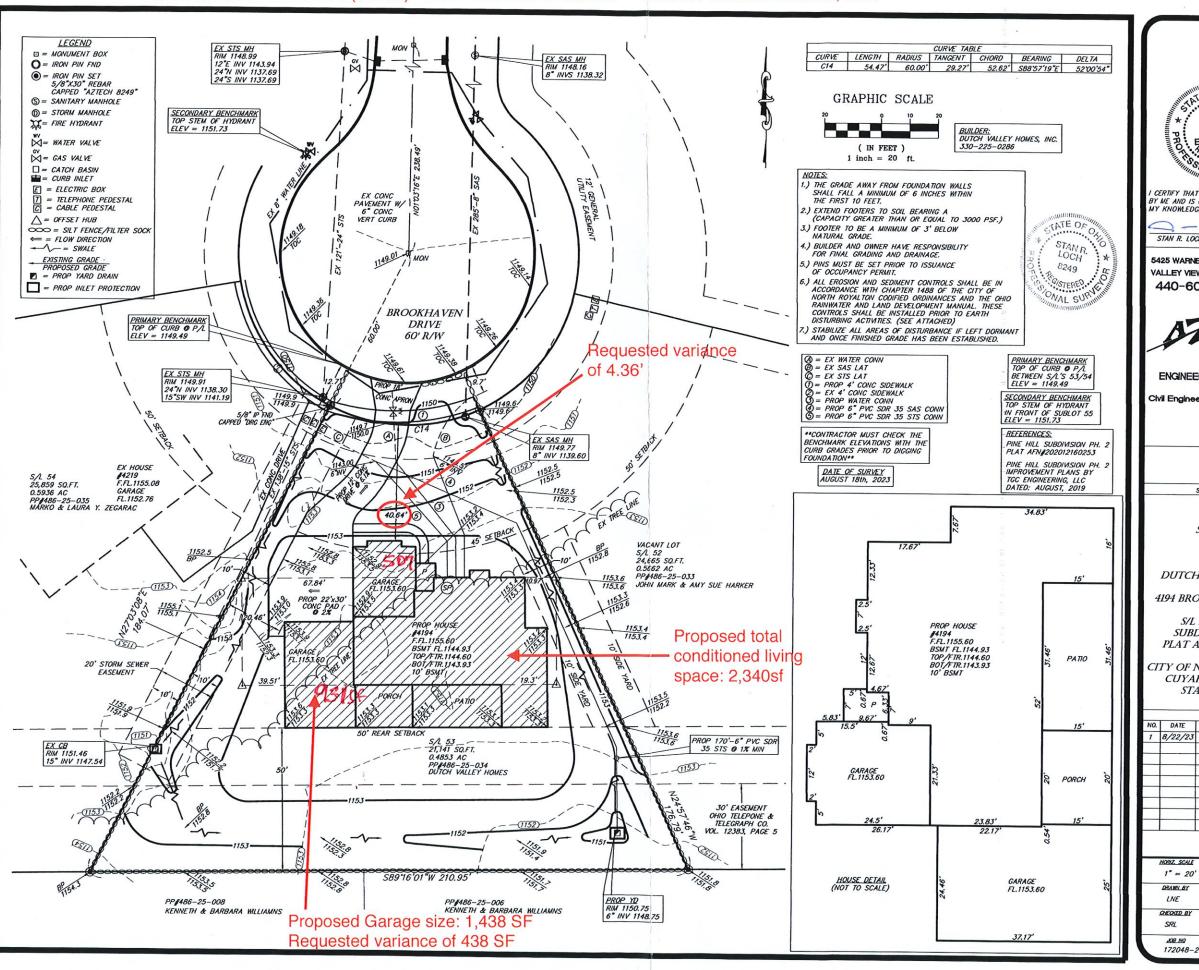
F. Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same Zoning District; examples of such special conditions or circumstances are: exceptional irregularity, narrowness, shallowness or steepness of the lot or adjacency to nonconforming and inharmonious uses, structures or conditions;					
Yes. Special circumstances and conditions exist on this property which severely limit the					
home design, size and placement of home on property in attempt to conform with existing setback requirements. This is an irregular, pie-shaped culdesac property with 20' storm.					
G. Whether the property owner's predicament feasibly can be obviated through some method other than a variance; Unfortunately, due to the inherent special conditions and circumstances stated in section F above, there is no other method of accommodating design and home placement other than via variance requests.					
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. The property owner/homeowner have not contributed to any special conditions or circumstances on this property. All special conditions and circumstances were existing when property was purchased from developer.					
J. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance. We feel that the minimum is being requested via variance and given the inherent special					
conditions and circumstances (multiple easements listed above) of this irregular shaped, culdesac property, our request falls well within the spirit and intent of the zoning requirements for granting of property variances.					

emarter 9/12/23

APPLICATION

PINE HILL SUBDIVISION
ARCHITECTURAL REVIEW COMMITTEE
PINE HILL HOMEOWNERS ASSOCIATION, INC.
C/O 5866 BROADVIEW ROAD, CLEVELAND, OH 44134
TELEPHONE NO. (216)351-7210

Sublot No.: 53	
Builder/Homeowner:	Dutch Valley Homes, Inc.
Description of Buildir	ng Plans:
mix of stucco and	design with 4 car garage area. Exterior materials to be stone across all elevations. Garage doors to be steel insulated wood grain finish to match color scheme of home.
	tioned living space: 2340 sf / Garage area: 1438 sf 9/1/23 8/24/23, Revised 9/1/23 THIS TOTAL GARAGE tt VanDenHaute (Dutch Valley Homes, Inc.)
For Architectural Rev	iew Committee Use
Approved:	
Rejected:	
ZONING CODES.	: SUBJECT TO ALL CITY BUILDING, ENGINEERING AND
VU CESTECTIONS TO T	REQUIRED FOR AREA VARIANCE. THE HOA HAS THE AREA VARIANCE TSEING GRANTED. (APPLICANT SCHBACK VARIANCE OF 4, 36 FORT AND GARAGE SIZE VARIANCE)
170 A	SNotified: SC52454 Via Mail 8/35/23, revised plans 9/1
K-FUA approx	no the variance for the and operage





CERTIFY THAT THIS PLAN WAS PREPARED BY ME AND IS CORRECT TO THE BEST OF

8.22.2023 STAN R. LOCH P.E. #63332 DATE

5425 WARNER ROAD - SUITE 12 VALLEY VIEW, OHIO 44125 440-602-9071



ENGINEERING and SURVEYING

Civil Engineering Land Surveying

SHEET CONTENT

SITE PLAN

FOR

DUTCH VALLEY HOMES

4194 BROOKHAVEN DRIVE

S/L 53 PINE HILL SUBDIVISION PH. 2 PLAT AFN#202012160253

CITY OF NORTH ROYALTON CUYAHOGA COUNTY STATE OF OHIO

DESCRIPTION

1	8/22/23	REV DRIVEWAY	LNE	
		10		
_	-			
_				
_			_	
_			_	
HORIZ, SCALE			WERT, SCALE	
	1" = 20			
DRAWN BY		DATE		
	LNE 8-18-20		2023	
CHECKED BY		DRAWING A	DRAWING NO	
SRL		172048	172048-2	
no wa		CUTT		

172048-2

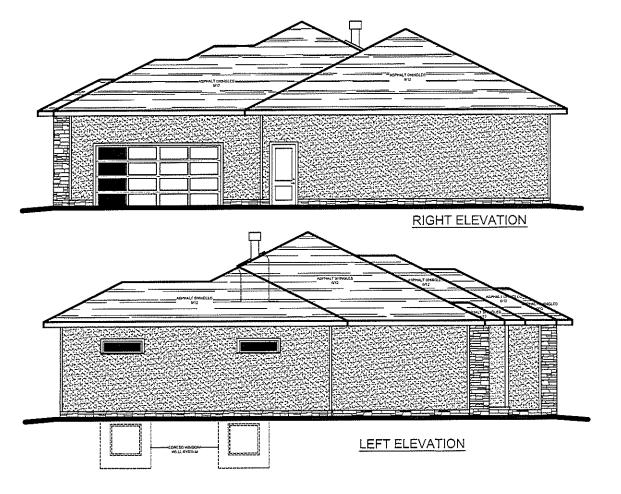


GEYER RESIDENCE DUTCH VALLEY HOMES INC.

RESIDENTIAL DESIGN WORKS LLC - SEPTEMBER 1, 2023

PRELIMINARY FRONT & REAR ELEVATIONS

SCALE: 1/8" = 1'-0"



GEYER RESIDENCE

DUTCH VALLEY HOMES INC.
RESIDENTIAL DESIGN WORKS LLC - SEPTEMBER 1, 2023

PRELIMINARY RIGHT & LEFT ELEVATIONS

SCALE: 1/8" = 1'-0"

