



# 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, **November 16, 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 Rich Sobiech for an accessory shelter located at 17398 Waterbridge Drive, also known as PPN: 486-16-025, 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 8 feet to place an accessory shelter, defined as a type of accessory building, 12 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 November 15<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  
November 2, 2023



# 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:

17398 Water Bridge Drive, North Royalton, Oh 44133

Address

PPN: 486-16-025

Permanent Parcel Number

Rich Sobiech

Occupant, Business or Tenant (if applicable)

R/N N/A

Zoning District

Ward No.

HOA Name: Pinestream

Letter of Approval Rec'd: Yes or No

Letter of Denial Rec'd: Yes or No

### 2. Property Owner:

Rich Sobiech

Name

17398 Water Bridge Drive

Address

North Royalton, Oh 44133

City, State and Postal Code

N/A

Name of Business (if applicable)

440 479-0243

Phone

rsobiech8302@gmail.com

Email (electronic mail)

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

Rich Sobiech

Name

17398 Water Bridge Drive

Address

North Royalton, Oh 44133

City, State and Postal Code

Owner

Name of Business (if applicable)

440 479-0243

Phone

rsobiech8302@gmail.com

Email (electronic mail)

### For Office Use Only

10/24/2023  
Date Application Submitted

\$ 75.00  
Application Fee

11/16/2023  
Meeting Date Assigned

Check # 18038  
Payment Information (date, check number, cash, etc.)

BZA-- 23-22  
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.

The ordinance requires a 20 foot setback from the house and the pavilion to be installed will be 12 feet from the house and 12 feet from the property line. The pavilion will be 12 ft. by 12ft..The pavilion will provide much needed shade and protection from the elements.

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

We request a variance for Ordinance code 1270.12a.for a 12 foot set back from the house.

VARIANCE OF 8' TOTAL

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.

Rich Sobiech / Rich Sobiech - Owner  
Applicant Signature, Printed Name and Title

10/23/2023  
Date

Rich Sobiech / Rich Sobiech - Owner  
Property Owner Signature, Printed Name and Title

10/23/2023  
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, Richard Sobiech (name) of \_\_\_\_\_  
(company, if applicable), hereby certify that I/we are the owner  
(owner(s), executor(s), etc.) of 17398 Waterbridge Dr. (property address or  
permanent parcel number) and further verify that Ken Sosun (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.

Rich Sobiech 10/23/2023  
Signature Date

Before me, a Notary Public in and for said county, personally appeared Richard Sobiech  
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 Worthington,  
Ohio on this 23rd day of October, 2023

Kimberly Miller  
Notary Signature

Seal:

State of Ohio  
County of Cuyahoga



KIMBERLY MILLER  
NOTARY PUBLIC  
FOR THE  
STATE OF OHIO  
My Commission Expires  
October 28, 2023

# CITY OF NORTH ROYALTON BOARD OF ZONING APPEALS APPLICATION

## QUESTIONS RELATIVE TO AREA VARIANCES

Address of subject property: 17398 Water Bridge Drive, 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;

Yes

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

With the variance we will not be able to install the pavilion on the patio inside the pool area.

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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. The installation of the pavilion will improve property values.

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D. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage collection);

No

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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. The pool and patio were installed before the ordinance and there were always plans for a pavilion to be installed.

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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;

Pavilion needs to be on patio close to the house and pool. It does not make sense to have it outside the pool area and away from house.

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

N/A

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

No

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

No. Owner is adding value to his property and the neighborhood.

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

N/A

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## Pinestream Home Owners Association

P.O. Box 33445 North Royalton, Ohio 44133

October 23, 2023

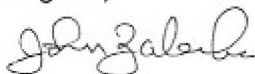
Mr. Richard Sobiech:  
17398 Waterbridge Dr.  
North Royalton, Ohio 44133

Richard,

The Pinestream Home Owners Association has reviewed and approves the builders request to apply for the variance for the new pavilion.

If there are any more questions please reach out to me at 440-230-4456 (h)

Regards,



John Zalenka  
President, PHOA

CC Ian Hunter





 Municipalities  
 Right Of Way  
 Platted Centerline  
 Parcel



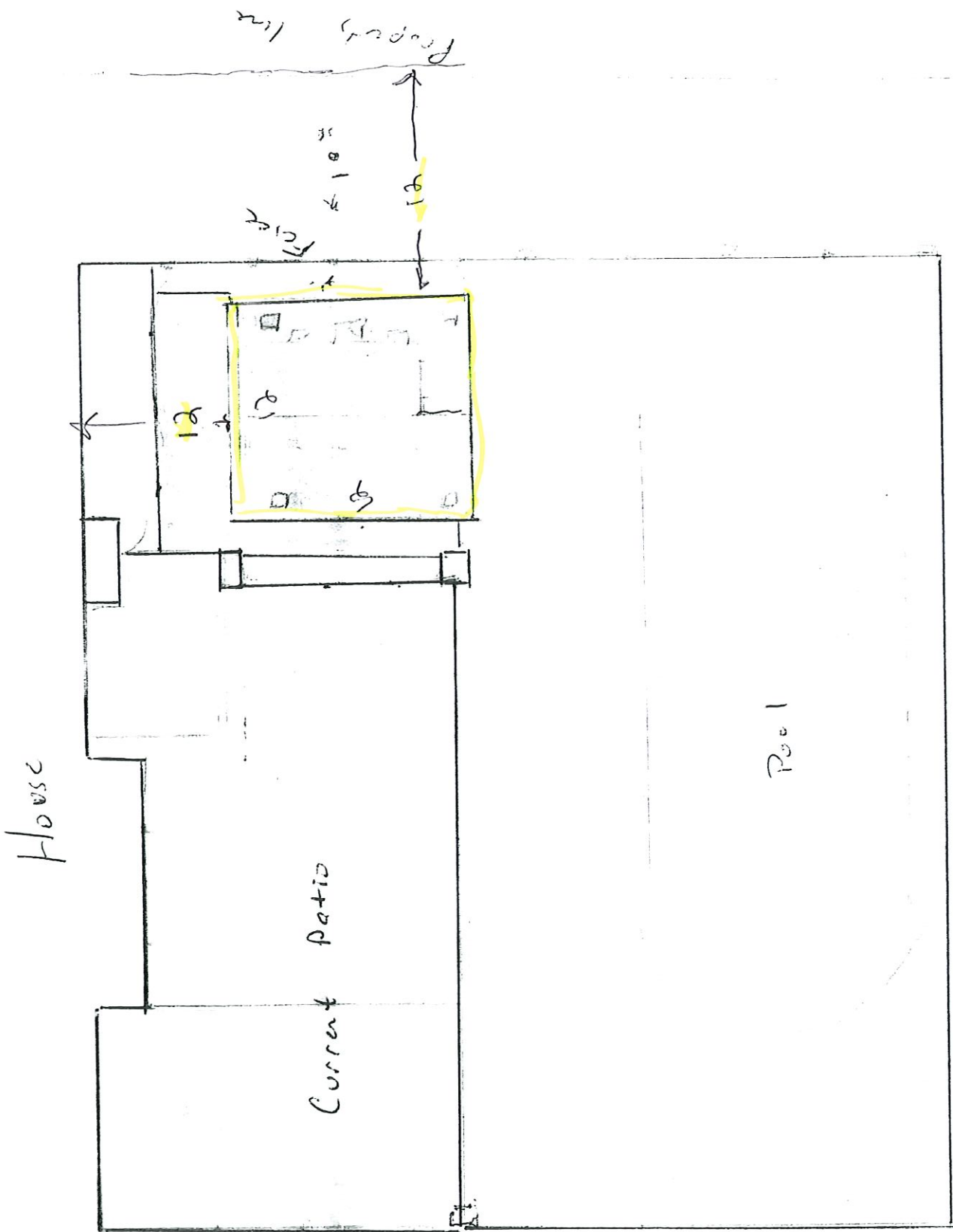
Projection:  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

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

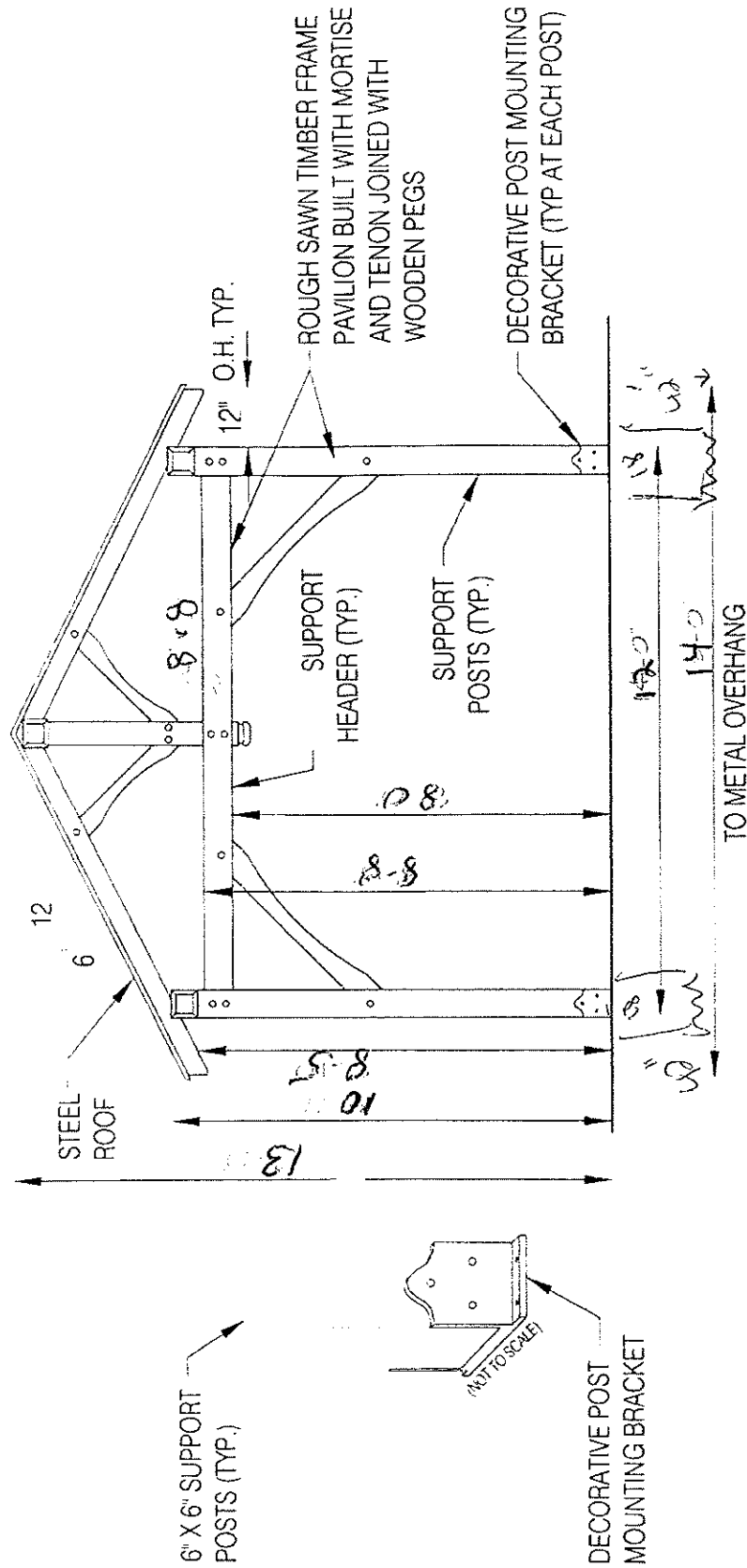
— Cuyahoga County —  
**Enterprise GIS**  
PUTTING CUYAHOGA COUNTY ON THE MAP



2



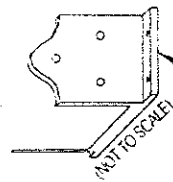
Yes Highlight - this is where new pavers will be put with Pavilion and outdoor counter + grill



# END ELEVATION PLAN

SCALE: 1/2" = 1'-0"

6" X 6" SUPPORT  
POSTS (TYP.)



DECORATIVE POST  
MOUNTING BRACKET