



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, **December 14, 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 Jeff Rucinski, of JMR Land Development, LLC, for a proposed new home located at 10372 Angelina Drive, also known as PPN: 488-12-041, in Residential (R1-A) District zoning. The variances being requested are as follows:

- Variance #1:** Codified Ordinance Section 1270.05(f) "Schedule of Area, Yard and Height Regulations". Code requires that homes maintain an average setback of 50 feet from the right of way in a subdivision. Applicant is requesting a variance of 71.8 feet more than the required front yard setback to construct a home 121.8 feet from the right of way within a subdivision.
- 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 garage.
- Variance #3:** Codified Ordinance Section 1270.12(a) "Size, Location, Setbacks and Height for Accessory Buildings and Private Garages". Code permits a dwelling over 4,000 square feet in size to have up to 1,200 square feet of private garage space. Applicant is requesting a variance of 1,200 square feet in order to construct a dwelling with 2,400 total 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 December 13th 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 30, 2023

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:

10372 Angelina Drive

Address

Occupant, Business or Tenant (if applicable)

PPN: 488-12-041

Permanent Parcel Number

B1-A

Zoning District

Ward No.

HOA Name: Huntington Park

Letter of Approval Rec'd: ☒ Yes or No

Letter of Denial Rec'd: ☐ Yes or No

2. Property Owner:

JMB Land Development LLC

Name

Name of Business (if applicable)

PO Box 31592

Address

216-323-5385

Phone

Independence OH 44147

City, State and Postal Code

top tier hockey@gmail.com

Email (electronic mail)

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

Jeff Bucinski

Name

JMB Land Development

Name of Business (if applicable)

8322 Windsor Way

Address

216-323-5385

Phone

Broadview Heights OH 44147

City, State and Postal Code

top tier hockey@gmail.com

Email (electronic mail)

For Office Use Only

11/10/2023

Date Application Submitted

12/14/2023

Meeting Date Assigned

BZA--23-24

Identification Number Assigned

\$ 100

Application Fee

check # 3067

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

IR

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.

CHAPTER 1270.12 LIMITS THE SIZE OF GARAGE TO 1-1200 SQ.FT. FOR HOMES OVER 4000 SQ.FT. I AM SEEKING A VARIANCE TO BE ABLE TO BUILD AN ADDITIONAL ATTACHED 1200 SQ.FT. GARAGE ON SUBLOT 48, 10372 ANGELINA PLACE, SINCE THE PROPOSED TO BE BUILT IS GOING TO BE CLOSER TO 6000 SQ.FT. OF WHICH THIS LOT IS 4.71 ACRES. I AM ALSO SEEKING A VARIANCE TO ALLOW THE HOUSE TO BE SET BACK FURTHER TO ACCOMMODATE THE LARGER HOUSE PER CONCEPTUAL DRAWING THAT WILL FOLLOW SHOWING LOCATIONS ON LOT.

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

Variance of 71.8' from table 1270.05 front yard depth.

Variance to table 1270.12 (a)

- 1 for an additional attached garage total of 2
- 1 for an additional 1200 sq.ft. of attached garage area

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.

Jeff Rucinski / JEFF RUCINSKI
Applicant Signature, Printed Name and Title

11-10-23
Date

Jeff Rucinski / JEFF RUCINSKI
Property Owner Signature, Printed Name and Title

11-10-23
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: 10372 ANGELINA PLACE, NORTH ROYALTON

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;

WITHOUT THE REQUESTED VARIANCES, WE WILL NOT BE ABLE TO USE THIS PROPERTY TO BUILD THE SIZE OF HOME WE NEED WITH ALL OF THE REQUIRED INDOOR PARKING SPACE.

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

THE VARIANCE IS THE MINIMUM WE NEED TO BUILD - SET BACK + ADDITIONAL GARAGE - ALSO NEITHER GARAGE IS VIEW FROM FRONT CENTER OF LOT, THEY WILL BE SIDE ENTRY LOCATED NEAR BACK, 1 ON EACH SIDE.

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;

THEY WILL HAVE NO DETRIMENT. THIS WILL BE THE LARGEST SQ. FT. HOME & COST THE MOST TO BUILD WHICH SHOULD ENHANCE THE VALUE OF EVERY HOME THERE.

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

NONE

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;

THIS LOT IS AT THE END OF THE CUL-DE-SAC & THE FRONT SET BACK IS TOO NARROW ON THIS LOT TO FIT THIS LARGER HOME,

- 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;

I DO NOT BELIEVE SO.

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

SALE OF LOT TO BUYER TO BUILD THE HOME IS CONTINGENT ON PRE-APPROVAL OF THESE VARIANCES IF NOT APPROVED SALE TO THIS BUYER IS CANCELED PER SALES AGREEMENT.

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

SALE OF LOT TO BUYER WITH THE GRANTING OF THESE VARIANCES WILL BRING A SIGNIFICANT INCREASE TO NORTH ROYALTON IN PROPERTY TAX FOR THIS LOT.

November 27, 2023

To: North Royalton Board of Zoning Appeals
Re: Sublot 48 (488-12-041)

Dear North Royalton Board of Zoning Appeals,

The Huntington Park HOA Board is aware of the variances listed below being requested by JMR Land Development as it relates to subplot 48 (488-12-041). The Huntington Park HOA Board is in support of the below variances being requested.

- Set back variance - 71.8'
- 1 additional attached garage
- Additional 1,200 sqft for the additional garage

Sincerely,

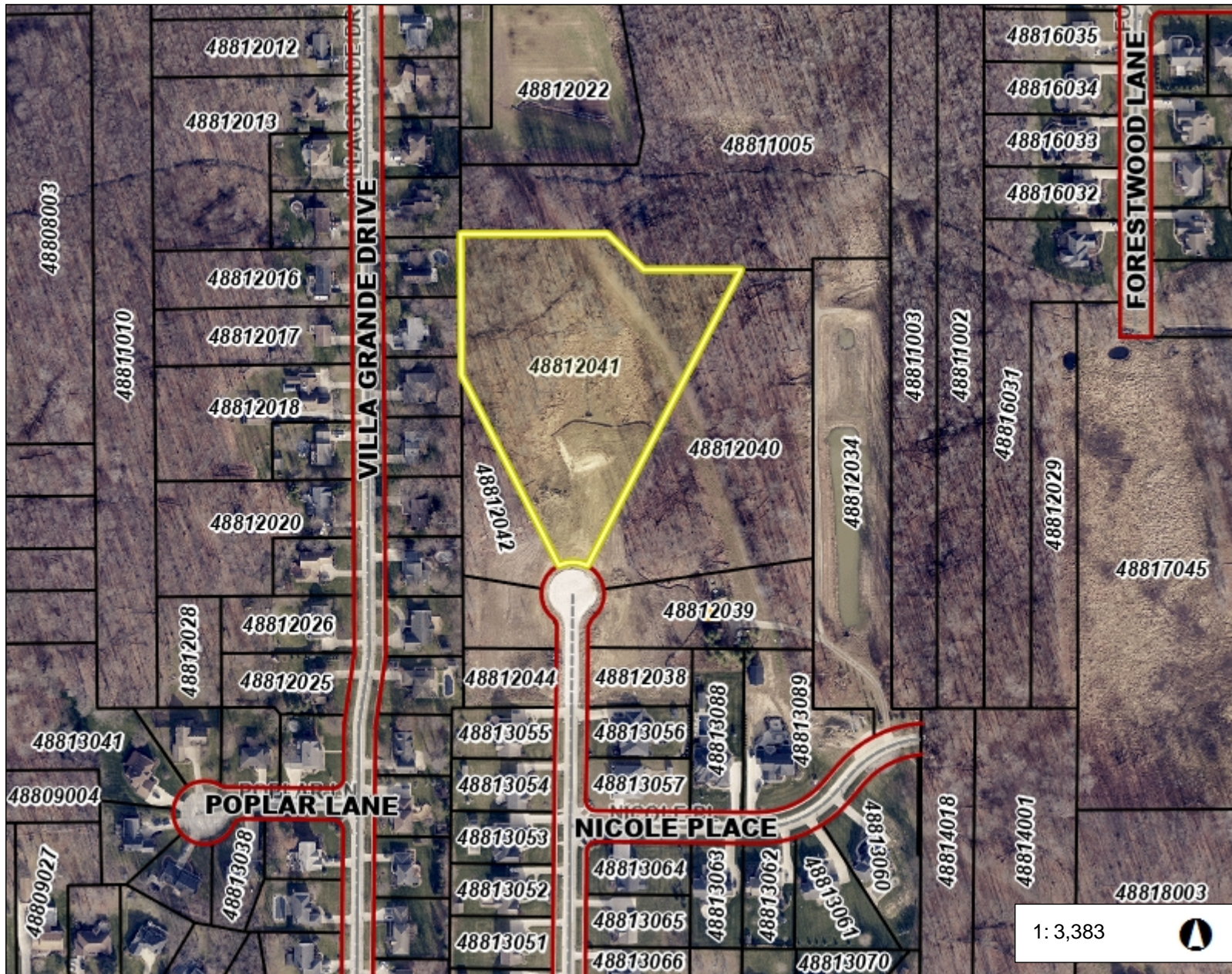


Bryan J. Golden, CMCA®
Community Association Manager

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Cuyahoga County GIS Viewer



Date Created: 11/27/2023

Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel

564 0 282 564 Feet

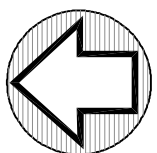
Projection:
WGS_1984_Web_Mercator_Auxiliary_Sphere

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

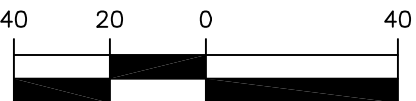
PRELIMINARY SITE PLAN

KNOWN AS BEING SUBLOT NO. 48 IN THE PINE HILL SUBDIVISION NO. 2 AS SHOWN BY THE RECORDED PLAT IN AFN 202012160253 OF CUYAHOGA COUNTY MAP RECORDS IN ORIGINAL ROYALTON TOWNSHIP SECTION NO. 16. NOW SITUATED IN THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO.



NORTH

GRAPHIC SCALE



(IN FEET)

1 INCH = 40 FT.

NOVEMBER 17, 2023

