



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 25, 2024** 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 1467 "Fences"**, of the City of North Royalton Zoning Code. Request is being made by Mohamed Alrajabi for a fence located at 11970 Albion Road, also known as PPN: 481-06-019, in Residential (R1-A) District zoning. The variances being requested are as follows:

- Variance #1:** Codified Ordinance Section 1467.05 (d)(2) "Fences in Residential Districts". Code only permits open ornamental, picket and split fences to be located in the front yard. Applicant is requesting a variance to place an ornamental metal fence in the front yard.
- Variance #2:** Codified Ordinance Section 1467.05 (d)(2) "Fences in Residential Districts". Code permits a maximum fence height of 42 inches for permitted fences in the front yard. Applicant is requesting a variance of 18 inches to construct a 60-inch-high ornamental metal fence in the front yard.
- Variance #3:** Codified Ordinance Section 1467.05 (d)(2) "Fences in Residential Districts". Code permits a maximum fence height of 42 inches for permitted fences in the front yard. Applicant is requesting a variance of 30 inches to construct a 72-inch-high ornamental metal fence gate in the front yard.

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.

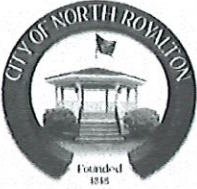
Link: [Board of Zoning Appeals Website](#)

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 24th 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
January 11, 2024

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:

11970 Albion Road

NA

Address

48106019

PPN:

Permanent Parcel Number

Occupant, Business or Tenant (if applicable)

R1-A

1

Zoning District Ward No.

HOA Name: NA

Letter of Approval Rec'd: Yes or No

Letter of Denial Rec'd: Yes or No

2. Property Owner:

Mohamed Alrajabi

NA

Name

11970 Albion Road

Name of Business (if applicable)

216.210.0807

Address

North Royalton OH 44133

Phone

Info@precisioncorporation.com

City, State and Postal Code

Email (electronic mail)

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

Representative):

Mohamed Alrajabi

NA

Name

11970 Albion Road

Name of Business (if applicable)

216.210.0807

Address

North Royalton, OH 44133

Phone

Info@precisioncorporation.com

City, State and Postal Code

Email (electronic mail)

For Office Use Only

12/15/2023
Date Application Submitted

01/25/2024
Meeting Date Assigned

BZA--24-01
Identification Number Assigned

\$ 75.00
Application Fee

Check # 5067
Payment Information (date, check number, cash, etc.)

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.

We have solicitors and strangers accessing our driveway/property multiple times a week, we also have 3 large dogs. Being on a flag pole property with a long drive we cannot see the end of our driveway from our home which makes it difficult to see anyone approaching until they are already at the door, we would like to install a gated fence at the end of our driveway to prevent this and the dogs from accessing the street.

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


Section 1467.05 (d)(2) Fences: A Variance of 18” for relief from the 42” max height allowed for ornamental fences located in the front yard for a 5’ tall fence.

Section 1467.05 (d)(2) Fences: A variance of 30” for relief from the max 42” height allowed for a 16’ long ornamental gate across the driveway in the front yard for a 6’ tall gate.

Section 1467.05 (d)(2) Fences: A Variance to place an ornamental fence and a gate across my driveway in the front yard 36’ from ROW line & 60’ from the road.

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.


_____, Mo Alrajabi - Owner
Applicant Signature, Printed Name and Title

12/5/23

Date

_____, Mo Alrajabi - Owner
Property Owner Signature, Printed Name and Title

12/5/23

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 where of 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: 11970 Albion Road, 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

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

These are minimum requirements to meet the objectives of the project.

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, gates across long driveways is a common occurrence in the city.

See attached "Exhibit A"

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

No, I have left 60' between gate and roadway to allow utility vehicles in and out.

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;

I do not know when the provision was created versus the creation of the flag pole property

- 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;

Flag Pole Property with very long driveway

- 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;

No

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

Yes



Cuyahoga County GIS Viewer



Date Created: 12/28/2023

Legend

- Municipalities
- Right Of Way
- Platted Centerline
- Parcel



1: 1,691

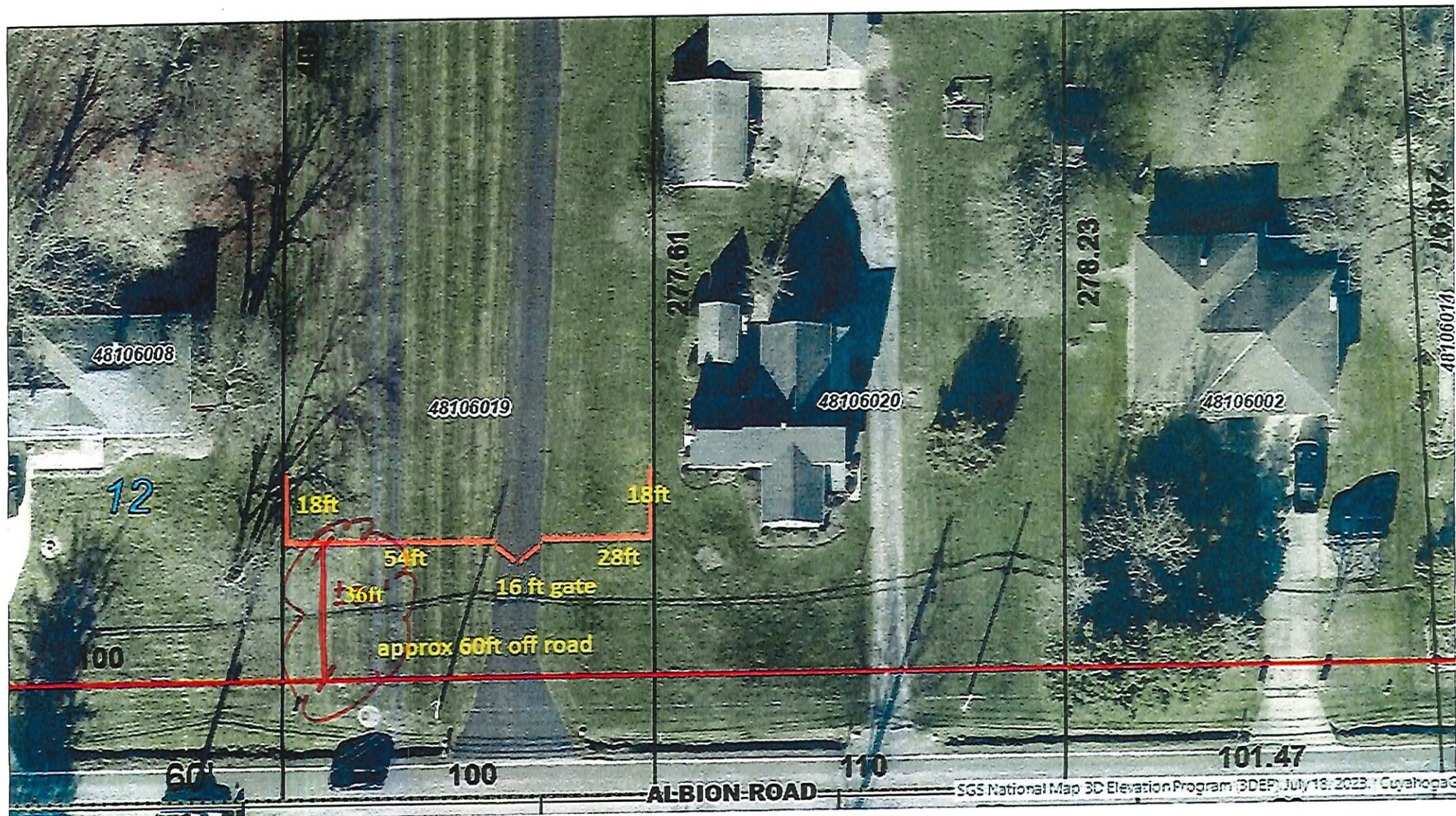


282 0 141 282 Feet

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

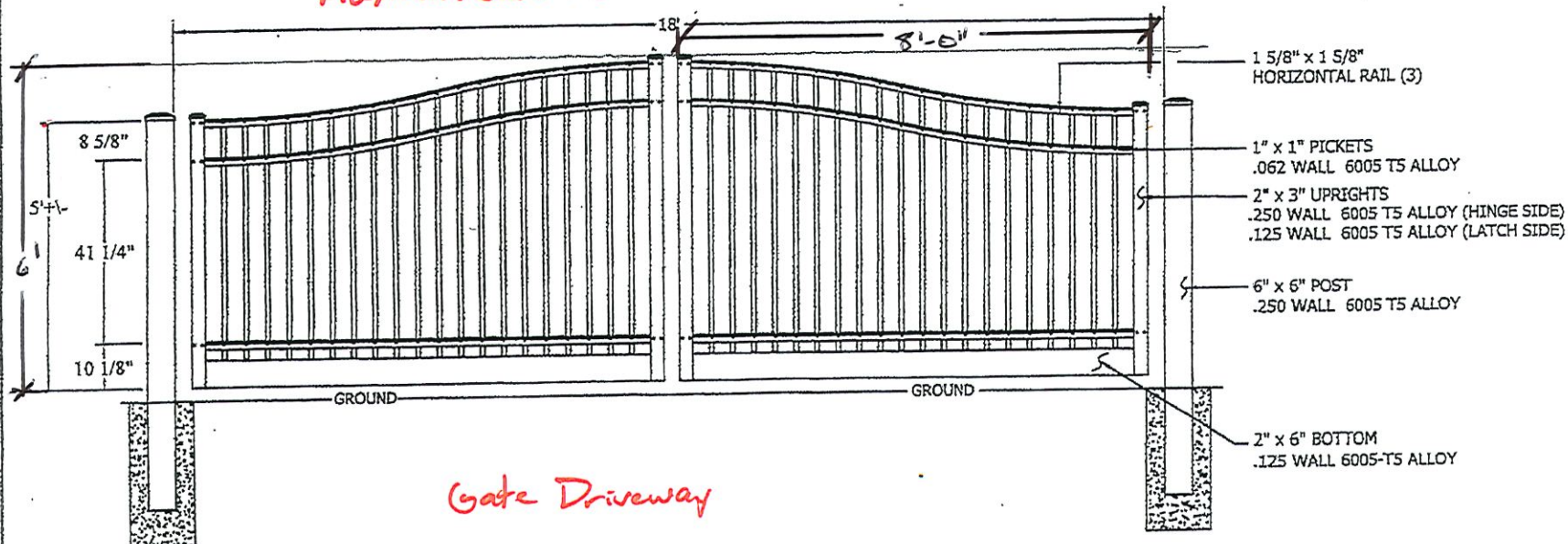


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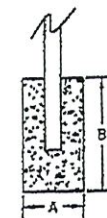
- 1) SHOWN FACING (SCREW SIDE)
- 2) PICKETS SCREWED ONE SIDE ONLY
- 3) PAINT: POWDER COATED (AAMA 2604 COMPLIANT)
- 4) # OF PICKETS AND EXACT SPACING VARIES WITH OPENING SIZE



Maximum Gate Ht. of 6'-0"



Gate Driveway



CONCRETE FOOTINGS
PLEASE CHECK LOCAL CODE
A 12" X B 36"

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NOTE: DRAWING FULL SCALE (ACAD)

EFF-20
INDUSTRIAL

5' HIGH 18' WIDE 3-RAIL DOUBLE ESTATE
GATE (WELDED NO BRACE)

PAGE 1 of 1 MF

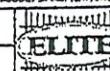
CONTRACTOR: N/A

PROJECT: N/A

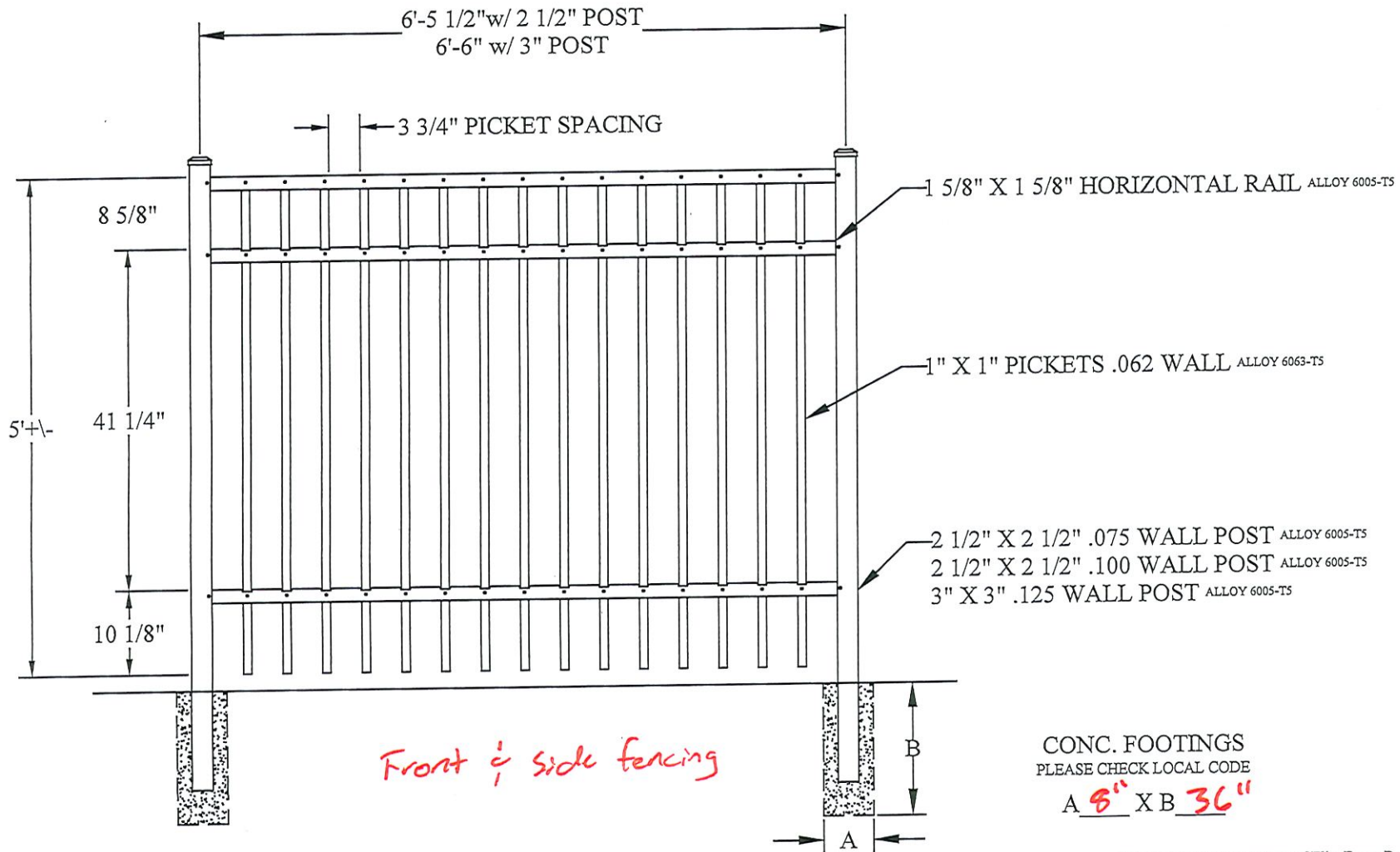
COLOR:

DATE:

11/13/2019



50925 RICHARD W. BLVD
CHESTERFIELD TWP. MI 48051
WWW.ELITEFENCE.COM
1-800-783-1331



NOTE: DRAWING NOT TO SCALE. ALL SECTIONS COME FULLY ASSEMBLED.

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EFF-20
INDUSTRIAL

5' HIGH 3-RAIL
ALUMINUM FENCE PANEL

1-1-16 V.1.0 | KS | KS | STD DRWING

CONTRACTOR:

PROJECT:

COLOR:

DATE:



50925 RICHARD W. BLVD
CHESTERFIELD TOWNSHIP, MI 48051
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