



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 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 10385 Angelina Drive, also known as PPN: 488-12-040, in Residential (R1-A) District zoning. The variance being requested is as follows:

Variance #1: Codified Ordinance Section 1270.05(f) "Schedule of Area, Yard and Height Regulations." Code requires that an average front yard setback of 50 feet from the right of way is required for a subdivision. Applicant is requesting a variance of 36.3 feet more than the required front yard setback to construct a home 86.3 feet from the right of way.

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



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:

10385 ANGELINA DRIVE

Address

PPN: 488-12-040

Permanent Parcel Number

Occupant, Business or Tenant (if applicable)

R1-A

Zoning District

Ward No.

HOA Name: HUNTINGTON PARK

Letter of Approval Rec'd: Yes or No SR

Letter of Denial Rec'd: Yes or No

2. Property Owner:

JEFF RUCINSKI

Name

8322 WINDSOR WAY

Address

BROADVIEW HTS, OH 44147

City, State and Postal Code

JMR Land Development LLC

Name of Business (if applicable)

216-272-5385

Phone

TOPTIER HOCKEY @ GMAIL.COM

Email (electronic mail)

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

JEFF RUCINSKI

Name

8322 WINDSOR WAY

Address

BROADVIEW HTS, OH 44147

City, State and Postal Code

Name of Business (if applicable)

216-272-5385

Phone

TOPTIER HOCKEY @ GMAIL.COM

Email (electronic mail)

For Office Use Only

12/18/23
Date Application Submitted

\$ 75.00
Application Fee

1/25/24
Meeting Date Assigned

Check # 2896
Payment Information (date, check number, cash, etc.)

BZA--24-04
Identification Number Assigned

F.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 ARE SEEKING A VARIANCE TO ORIGINAL BUILDING SET-BACK LINES TO ALLOW FOR HOUSE TO BE BUILT DEEPER ON LAND PARCEL. ORIGINAL BUILDING SET BACK IS 50 FT, HOWEVER, WE ARE SEEKING AN ADJUSTED SET BACK OF AN ADDITIONAL 36.3' VARIANCE, WHICH WILL ALLOW FOR LARGER HOME TO BE BUILT GIVEN PIE-SHAPED LOT AS ILLUSTRATED IN CONCEPTUAL DRAWING THAT FOLLOW SHOWING STRUCTURE LOCATIONS ON THE LAND PARCEL.

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 36.3' FROM TABLE 1270.05 FRONT YARD DEPTH

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
Applicant Signature, Printed Name and Title

12-18-23
Date

 / JEFF RUCINSKI
Property Owner Signature, Printed Name and Title

12-18-23
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: 10385 ANGELINA DRIVE, 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 VARIANCE, WE WILL NOT BE ABLE TO USE
THE PROPERTY TO BUILD THE SIZE / SHAPE OF HOME WE NEED
GIVEN THE PIE SHAPE OF LOT AND WIDTH OF LOT AT ORIGINAL BUILD LINE.

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

THE VARIANCE REQUESTED IS THE MINIMUM NECESSARY TO BUILD
SIZE / SHAPE HOUSE DESIRED ON THE PROPERTY.

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;

CHARACTER OF NEIGHBORHOOD WILL NOT BE ALTERED AND ADJOINING
PROPERTIES WOULD NOT SUFFER DETRIMENT AS A RESULT OF VARIANCE.
VALUE OF HOME BUILT WILL INCREASE VALUE OF EXISTING HOMES.

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

NOT APPLICABLE

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;

NOT APPLICABLE

- 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;

PARCEL IS LOCATED ON NORTH-EAST CORNER OF CUL-DE-SAC AND
CURRENT BUILDING SET-BACK IS TOO NARROW TO FIT REQUIRED HOME
SIZE GIVEN PIE-SHAPE OF THE LOT.

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

NOT POSSIBLE

- 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;

SALE OF PARCEL TO BUYER TO BUILD THE HOME IS CONTINGENT ON
PRE-APPROVAL OF THE SET-BACK VARIANCE. IF VARIANCE IS NOT
APPROVED, SALE TO BUYER IS CANCELLED 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 GRANTING OF VARIANCE WILL BRING
INCREASED VALUE TO CITY OF NORTH ROYALTON IN THE FORM
OF HIGHER PROPERTY TAXES FOR THIS LOT.

December 14, 2023

To: North Royalton Board of Zoning Appeals
Re: Sublot 47 (488-12-040)

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 47 (488-12-040). The Huntington Park HOA Board is in support of the below variances being requested.

- Set back variance - 36.3'

Sincerely,



Bryan J. Golden, CMCA®
Community Association Manager

f:\ww\HPRK_12142023.doc



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

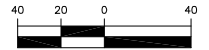
PRELIMINARY SITE PLAN

KNOWN AS BEING SUBLOT NO. 47 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 10, 2023

