

ADDRESS: 3017 FAIRMOUNT BOULEVARD, CLEVELAND  
 HEIGHTS, OHIO 44118  
 SUBLOT(S) / ORIGINAL LOT NO(S): S/L 156  
 SUBDIVISION / ORIGINAL TOWNSHIP: SHAKER HEIGHTS  
 LAND CO'S SUBDIVISION  
 MAP VOL. NO: 32 PAGE: 7  
 RECORDED IN CUYAHOGA COUNTY RECORDS  
 PERMANENT PARCEL NO: 686-23-010



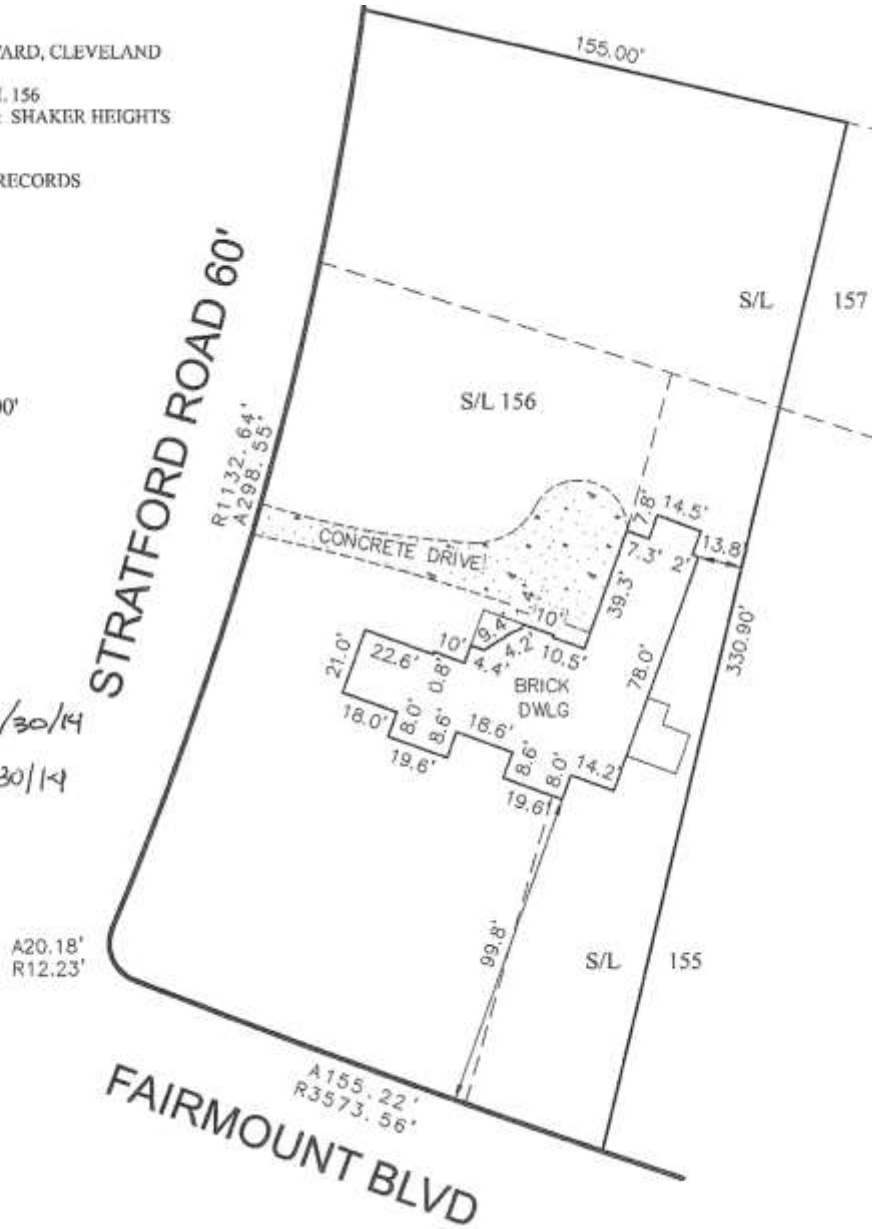
SCALE: 1" = 50'

DATE: APRIL 10, 2014

*DM Garceau* 4/30/14  
*Mary L. Garceau* 4/30/14



*William R. Wallace*  
 WILLIAM R. WALLACE P.S.  
 Registered Professional Surveyor No. 8288





View from Fairmount Blvd, looking northeast (Concept Only)



View from Fairmount Blvd, looking northwest (Concept Only)



North

Garceau Residence

Neighboring Residence

Existing Concrete Drive

20'-0" Sidewalk  
Property Line  
Misc. Utility

Proposed Concrete Drive  
2022 10, 11

Neighbor's Existing Drive

Property Line  
Proposed Drive

PRELIMINARY  
THIS PLAN IS FOR INFORMATION ONLY AND IS NOT A CONTRACT. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

Proposed Drive

## Statement of Practical Difficulty

Garceau Residence,  
3017 Fairmount Blvd., Cleveland Heights, Ohio 44118  
Parcel # 686-23-010

Proposed project: add an additional driveway across our front yard which connects Fairmount Blvd (westbound) and Stratford Roads as shown in the accompanying sketches.

Code Section 1121.12(c) (1) states: Only one driveway and one curb cut shall be permitted and pavement shall not exceed 12 feet except where necessary to provide direct access to a garage.

Zoning variances sought:

- Allowing a second, non-connected driveway at the front of our home with two curb cuts – one on Fairmount Blvd, one on Stratford Road;
- Allow one curb cut on Fairmount Blvd @ 14' wide (vs. 12' allowed). The 2<sup>nd</sup> curb cut at Stratford Road would be 12' wide;
- Allow wider overall width (main drive 14' and pull-off area 19'6" vs. 12' allowed) as shown in proposed landscape plan

Due to the frontage and scale of our home, we do not believe the proposed project will create an aesthetic concern. Our planned driveway is code-confirming to section 1121.12, which limits the maximum coverage permitted in the front or corner side yard.

### **Line item details for variance:**

A. 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;

The current driveway and garage are located at the rear of our house. The placement of our existing driveway creates irregularity for contractors, deliveries and guests' ability to easily arrive and depart, to park safely and to easily reach our front door. Extending or connecting a new driveway to the current driveway would result in more paved surface and would be undesirable from many perspectives.

### **Location Details:**

We live on the north side of Fairmount Boulevard, between Lee Road (to the east) and Coventry Road (to the west). Our property is a corner lot that is bordered by Stratford Road (to the west). The location and orientation of our home and its current driveway is such that access by car is only available via Stratford Road, which is confusing to visitors and the many contractors working at our home.

Traffic on Fairmount can be heavy at times, and although parking on Fairmount is permitted, the heavy traffic flow creates an impractical and unsafe environment for parking and for vehicle ingress / egress. Emergency vehicles pass our home regularly, and cars parked on Fairmount Boulevard would impede their travel.

The speed of traffic on Fairmount Boulevard is another concern. Cleveland Heights police regularly patrol for speed violations directly across from our home. The speed of traffic creates a hazardous situation for people trying to park on Fairmount Boulevard or access their cars parked on Stratford Road near the corner of Fairmount Blvd. The approach speed is the main reason we planned for a slightly wider curb cut, so entering cars would not need to come to a near-stop when pulling into the driveway.

Almost all neighboring homes' driveways are accessed from the front of the house, making it simple for visitors to find their house while driving down Fairmount Boulevard, and many of these are U-shaped driveways. As our driveway is located on a side street, determining how to reach our house has proven to be a challenge for nearly every visitor. In fact, many contractors and visitors to our home have inadvertently pulled into our neighbor's driveway at 3029 Fairmount Blvd, which runs between our two homes.

Finally, once parked on Stratford Road, there is no direct access for visitors to reach our front door. The straight-line distance across the lawn between Stratford Road and our front door is 125', but the route via sidewalks can be 600' or more.

**B. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance;**

By adding a new driveway, the safety of our guests will be greatly improved since parking would be off-street. The parking and access problems have probably always existed, but the proposed solution of a front driveway may have been cost prohibitive to previous homeowners. This addition will also improve deliveries as vehicles would be able to pull off the road.

**C. Whether the variance is substantial and is the minimum necessary to make possible the reasonable use of the land or structures;**

We believe the variance request is minimal when considering the frontage of the property. The legal front is 178 feet wide and our home is set back from Fairmount Blvd by about 86 feet. Our initial design incorporated a "U"-shaped driveway like the one next door at 3029 Fairmount but we selected a quarter-circle design to provide more green space visible on Fairmount Boulevard.

**D. 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;**

The character of the neighborhood would not be substantially altered and adjoining properties would not suffer any detriment due to our variance request. The goal with our overall landscape plan is to enhance the curb appeal of our home.

As mentioned, other homes in the area have circular driveways with two curb cuts to facilitate easy access. We believe that adding a circular driveway will benefit the neighborhood by reducing on-street parking and helping minimize traffic disruptions as guests arrive at our home. With the approval a new driveway, we plan to re-landscape the entire property which will also improve vehicle sightlines at the new and existing driveways.

Since moving into the home in July, we have made many improvements and repairs to the exterior of the house. Once the front yard & driveway improvements are made, we plan to re-landscape the rear and sides of the house as well. We are confident that these improvements along with the interior improvements we have already made will only increase the value and desirability of the neighborhood.

As we have a garage and large driveway behind the house this proposed driveway is planned to be for temporary use. No overnight parking is intended.

**E. Whether the variance would adversely affect the delivery of governmental services such as water, sewer, trash pickup;**

The variance would not adversely affect the delivery of governmental services such as water, sewer, and trash pick-up, but would facilitate easier mail delivery than our current driveway since the postal delivery truck could pull through the proposed driveway. The current situation requires backing out of our existing driveway onto Stratford Road.

Our planned driveway will be graded to direct water runoff into several on-property garden areas to limit the impact to the storm water drainage system.

F. Whether the property owner purchased the property with knowledge of the zoning restrictions;

Being new to Cleveland Heights, we were aware zoning restrictions existed. It was not until our landscaper proposed the new driveway that we understood which zoning restrictions may affect us.

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

Another improvement we are making to the property is the installation of a geothermal heating system to replace the aging and nonfunctioning steam radiator system. The geothermal system requires us to drill several artesian wells in the yard, which are located in the greenspace adjacent to the proposed driveway (these are located along Fairmount Blvd, to the west of the proposed curb cut and extending to the corner of Stratford Road, in the rectangular area near the words "Existing Front Walk" on our landscape plan). If our variance requests are not approved and we are unable to install the proposed driveway, the wells would prevent us from installing a more conventional U-shaped driveway as that layout would require building the driveway on top of the wells, which is not desirable.

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

We do not believe the predicament can be obviated through any other means.

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

By granting a variance, our family, friends, neighbors and service people can safely enter and exit our property, and park in our driveway. Our intentions are solely to improve upon the current situation, and reduce potential hazards. We think these measures will also improve the overall aesthetic and curb appeal of the property. Our layout is such that the existing driveway is sufficiently distant from the proposed driveway that no negative aesthetic or functionality is anticipated.

J. Whether the granting of the variance requested will confer on the applicant any special privilege that is denied by this regulation to other lands, structures or buildings in the same district.

We believe that the layout of our parcel, existing driveway and house structure present a condition that is unique, where family access to the house is via a separate driveway from the one that would serve guests arriving at the front door. There are many other homes in the area who have received variances allowing two curb cuts to allow vehicle access to the front door as well as the garage area; attempting this with our layout would not be feasible and would require a significantly higher amount of the yard to be covered in driveway material.

Several other homes in the area have curb cuts whose width is in excess of the 12' width required by code. We do not believe our request for 14' curb cuts will be distinguishable or problematic. Due to recent snowfall, we have been unable to determine the specific houses whose driveways are wider than the current 12' standard.