

## STATEMENT OF PRACTICAL DIFFICULTY

To obtain a variance, an applicant must show by a preponderance of the evidence, to the satisfaction of the Board of Zoning Appeals (BZA), that strictly adhering to the Zoning Code's standards would result in a "practical difficulty" for the applicant. To this end, a written statement of practical difficulty must accompany an application for a standard variance. Please complete this Statement of Practical Difficulty, **by addressing all of the factors listed below that are relevant to your situation.** Additional documents may be submitted as further proof.

In deciding whether to grant a variance, BZA will consider the following factors in determining whether a practical difficulty exists:

A. Explain special conditions or circumstances that 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 this are: exceptional irregularity, narrowness, shallowness or steepness of the lot, or adjacency to nonconforming and inharmonious uses, structures or conditions):

1. The property is located on the convex curve of the roadway resulting in a reduction in available space to develop when a line is drawn between the corners of the neighboring homes.
2. The property and neighboring homes have a deep setback from the street, with the back yard of the property constrained by a steep ravine grade sloping upward, which altogether result in a very condensed section of land for the house and any improvements.
3. The structure is a mid-century ranch/bungalow, with very small kitchen and "dinette" areas, which do not support modern living. The kitchen does not have sufficient length to incorporate a dishwasher and moderate lower storage cabinets. It is closed off from the dining area, which does not support more contemporary open floorplans and a kitchen counter eating area common in modern home designs. Any expansion of the kitchen by 36-40" to accommodate a dishwasher and counter will create an even smaller dinette area which will not accommodate a moderately sized family dining table (eg 3'x6' for six people).

Please reference attached photos of the home and surrounding neighborhood.

B. Explain how the property in question would not yield a reasonable return or there could not be any beneficial use of the property without the variance.

This property was originally purchased in May 2021 by Meadowbrook Venture Properties LLC, with Kristen Laubscher as sole proprietor, with the intent of making it an income property until such time as alterations for a geriatric family member became necessary and/or resources became available allowing the improvements to be made. Upon the expiration of the lease term of the inherited tenant and their subsequent move out in June 2021, the homeowner decided to end use of this property as a rental and to proceed without delay in making this a family home. This property represents the third home acquired in Cleveland Heights on Meadowbrook

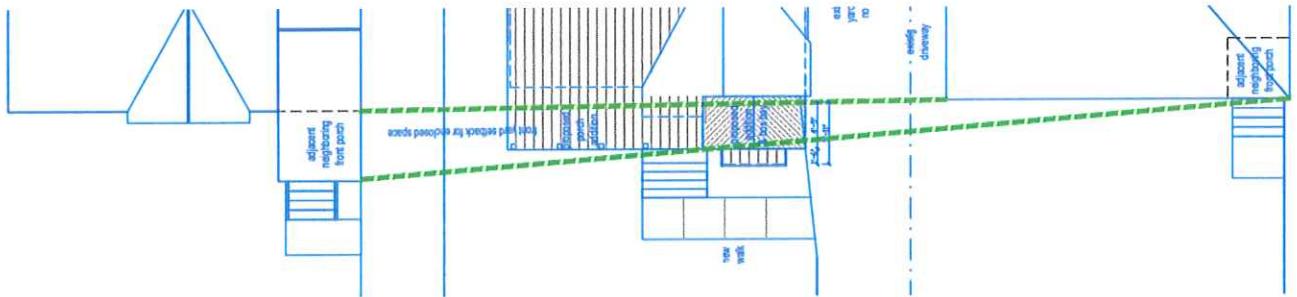
Boulevard by Laubscher family members who have found great enjoyment in their residency and in being part of their neighborhood communities.

As mentioned in A (above), 3362 Meadowbrook is a mid-century ranch/bungalow with undersized kitchen and a "dinette" room that is not in character with the majority of housing stock in Cleveland Heights, as exemplified by the Laubscher family's other properties located next door at 3366 Meadowbrook and across the street at 3383 Meadowbrook. The constrained sizes of the rooms in 3362 Meadowbrook makes this home inconvenient and less livable, which does limit the value of the home. With the aging population and aging family members, this highly desirable home with first floor bedrooms is not consistent with the space and functionality required for quality of life by occupants facing the onset of health and mobility issues. Making the proposed more modern alterations should enhance the ongoing value of the property.

C. Explain whether the variance is insubstantial:

Considering the footprint of the home, the requested improvements lay within the dimensions of a zoning code compliant 6' depth for a front porch addition. The fact that a portion of the improved space is an enclosed structure rather than open porch is insubstantial.

If you connect a line from adjacent porch to porch the proposed porch is fully within that new line and only a small portion of the enclosed addition exceeds that new line. From an urban experience the 3 houses flow with the general sense of setback of the street. See diagram



Further, the Architectural Board of Review has emphatically endorsed the proposed changes as an improvement in the aesthetic of the existing home, elevating its architectural contribution to the surrounding neighborhood and the ultimate functionality of the home.

Please reference attached photos of the home and string outline of proposed front footprint.

Explain whether the variance is the minimum necessary to make possible the reasonable use of the land:

The minimum possible dimensions are being proposed to improve the functionality of the interior spaces, particularly the extension of the kitchen to accommodate a dishwasher and the conversion of the "dinette" into a more accessible dining space to accommodate a moderately

sized table. Additionally, the footprint of the proposed improvements lies within the dimensions of a zoning compliant front porch.

D. Explain whether the essential character of the neighborhood would be substantially altered or adjoining properties would suffer a substantial detriment as a result of the variance.

The ABR has enthusiastically endorsed these improvements as an elevation in the architectural value of the home and its contribution to the surrounding community. The proposed front elevation front façade gable within gable aesthetic is consistent with the neighborhood. The design incorporates a 6' porch and enclosed small foyer which is characteristic of many homes in Cleveland Heights.

Please reference attached photos of the home and surrounding neighborhood.

E. Explain whether the variance would adversely affect the delivery of governmental service (e.g., water, sewer, garbage).

There will be no alteration in the delivery of government supplied services.

F. Did the applicant purchase the property without knowledge of the zoning restriction?

The applicant had no prior knowledge of the zoning regulations constraining the proposed improvements.

G. Explain whether the special conditions or circumstances (listed in response to question A above) were a result of actions of the owner.

All conditions are pre-existing.

H. Demonstrate whether the applicant's predicament feasibly can be resolved through a method other than a variance (e.g., a zone-conforming but unworkable example).

As mentioned in A (above), the lot located on Meadowbrook Blvd is constrained by the steep ravine grade sloping upward in the backyard. The only option to increase the space and functionality of the kitchen and dining area is to expand on the front of the house. The homeowner is sensitive to the neighborhood and is requesting a modest expansion depth which includes a permissible porch extension (6').

I. Explain whether the spirit and intent behind the zoning requirement would be observed and/or substantial justice done by granting the variance.

The spirit of the zoning requirement is perceived by the homeowner to be a means to ensure architectural cohesiveness and the fair use of land resources in the greater community. The proposed improvements elevate the architecture of the existing home into one that has greater

**architectural cohesion with the surrounding community and honors the fair use of available land by not exceeding the footprint dimensions of a zoning compliant front porch.**

J. Explain whether the granting of the variance requested will or will not confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

**The homeowner acknowledges that, by definition, any zoning variance does confer some manner of special privilege as the result of an exception being granted. However, given the fact that the proposed improvements still meet the City's setback requirements from the street and the footprint of the proposed improvements lie within the limits for other zoning compliant improvements, like a front porch, the requested variance is minimal and not intrusive on the rights of others.**

If you have questions, please contact the Planning Department at 216-291-4878 or [planning@clvhts.com](mailto:planning@clvhts.com).

The factors listed above can be found in Subsection 1115.07(e)(1) of the Cleveland Heights Zoning Code.



## Photos

December 4, 2021

**RE: ABR SUBMITTAL  
3362 MEADOWBROOK BLVD.  
CLEVELAND HEIGHTS, OHIO 44118**



3362 Meadowbrook Blvd.

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Front View



Northwest Corner Driveway Side

3362 Meadowbrook Blvd.

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Southwest Corner



Partial Rear

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Southeast Corner

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Side View East

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Across the Street



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S

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Stakes showing Addition relationship to East Neighbor



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Open Porch Northeast corner of Addition



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Neighbors to the East

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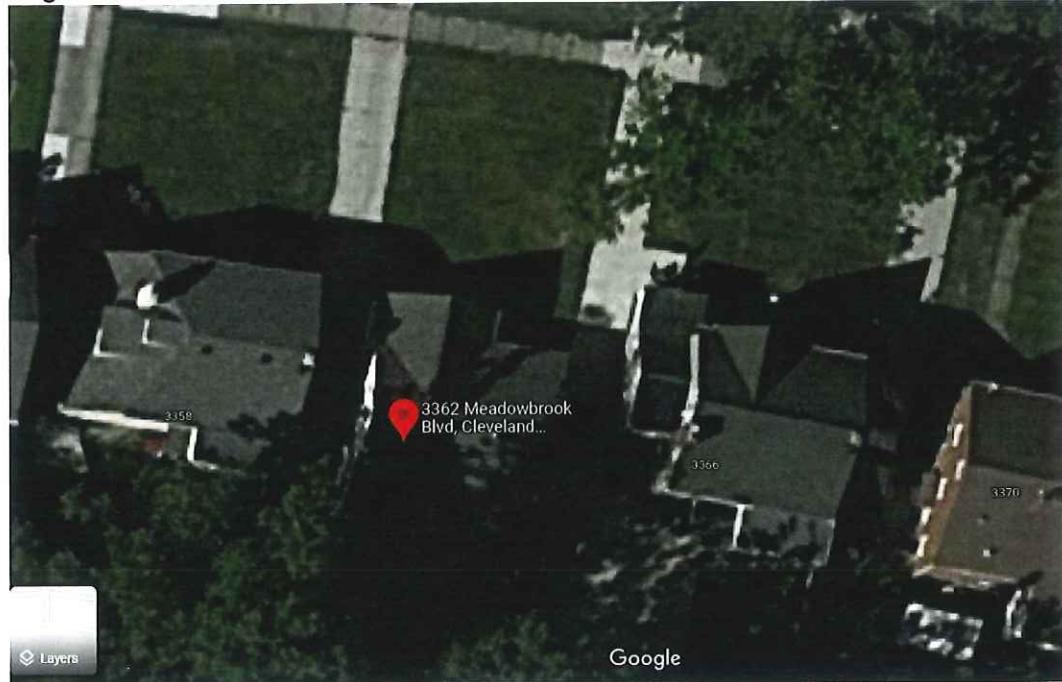
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Neighbors to the West



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