



## BZA Summary Document

Printed Date: June 13, 2024

<b>Permit Number:</b>	SV24-000008	<b>Permit Type:</b>	Board of Zoning Appeals Standard Variance
<b>Property Address:</b>	14298 SUPERIOR RD CLEVELAND HEIGHTS, OH 44118		
<b>Application Date:</b>	05/17/2024		
Applicant Name	Gayle Lewin	Applicant Email	glewin@lewinandassociates.com
Applicant Address	3171 Essex Road, Cleveland Heights OH 44118	Applicant Company Name	I A Lewin, P.E. and Associates
Applicant Company Address	4110 Mayfield Road Suite B	Applicant Home Phone	
Applicant Cell Phone		Applicant Work Phone	
Applicant Relationship to Property	Representative		
Property Owner Name	Sophie Boehlen		
Property Owner Address	14298 Superior Road, Apt 4		
Property Owner City/State /Zip	Cleveland Heights, Ohio 44118		
Property Owner Phone	216-849-8032		
Property Owner Email	sophie.boehlen@gmail.com		
Property Type	Multi-Family Residential, Commercial, etc.		
Brief Summary of Variance Request	construct attached garage to existing carriage house within setback limits		
Number of Variances Requested	1		
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,	The existing parcel is an odd shape with a bump at the back where the existing carriage house is located. The carriage house was built at some point before 1914, but the exact year is unknown. It was originally constructed as the barn for the property across the street, which is the oldest house in Cleveland Heights. In order to accommodate an		

narrowness, shallowness or steepness of the lot, or adjacency to nonconforming and inharmonious uses, structures or conditions.)

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.

C. Explain whether the variance is insubstantial.

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

E. 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.

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

G. Did the applicant purchase the property without knowledge of the zoning restriction.

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

I. Demonstrate whether the applicant's predicament feasibly can be resolved through a method other than

attached garage being added to utilize the full 1st floor as living space, the garage needs to be placed close to the back property line. The existing driveway for this parcel crosses the adjacent parcel and it's ideal to have the garage door line up with the driveway.

The current usable space on the first floor is limited by the existing garage. There is only about 430 square feet of usable living space because the garage takes up half of the 1st floor and the mechanical room is not a livable area. This results in a very small area, less than 500 sf, for the kitchen, bathroom, living room, and dining area. In order to have more living space, the best option is to build a new attached garage and reclaim the current garage space as living space. Having the garage in the proposed location allows the user to exit the property to the north, along the existing driveway.

The variance is insubstantial because the new garage is located at the back corner of the property so it will not impact views or use for neighbors. The shape and size of the garage was designed to require the least amount of impact while still allowing for 2 vehicles to be parked. The location where the garage is being proposed is already being used for parking. And, the location allows the existing brick driveway to remain intact. v

Yes, allowing the garage to be built 3.99' from the property line allows the property to have an attached garage with the door facing the driveway, which is desirable for the comfort of the current owner and current housing standards. The proposed location also minimizes impacts to the property relative to tree removal or modifications to the existing brick driveways.

The garage is in the back corner of the property and will be minimally visible from the road. It will not substantially alter the essential character of the neighborhood or adjoining properties.

No, the variance will not impact the delivery of governmental services.

No, the applicant did not purchase the property with knowledge of the restriction.

No, the carriage house is one of the oldest buildings in Cleveland Heights. The property was non-conforming at the time of purchase with both structures being used as housing. The owner is not changing the non-conforming use of the property, the number of units is not changing. The carriage house is just being remodeled to allow for full use of the space and updates for current needs.

No, the only other solution for a 2-car attached garage would be on the south side of the property. However, that would result in cutting down a very large pine tree and adding additional impervious area to the property.

a variance (e.g., a zone-conforming but unworkable example.)

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

Yes, the spirit and intent of zoning requirement is observed. Due to the unique shape of the property and the location of the existing structures and driveway, the shape and location of the proposed garage is in a location that makes sense and is pulled away from the property line when possible.

K. 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.

No, this variance will not confer any special privileges on the applicant. The property is unique in shape, but many other properties have garages that are close to the property lines as well.

Once you submit your application you will be taken to the payment page. Enter your payment information and submit. I understand review won't start until payment is made.

Yes