



## BZA Summary Document

Printed Date: February 26, 2025

<b>Permit Number:</b>	SV25-000009	<b>Permit Type:</b>	Board of Zoning Appeals Standard Variance
<b>Property Address:</b>	3781 BENDEMEER RD CLEVELAND HEIGHTS, OH 44118		
<b>Application Date:</b>	02/19/2025		
Applicant Name	George Pelesky	Applicant Email	
Applicant Address		Applicant Company Name	The Drees Company
Applicant Company Address		Applicant Home Phone	
Applicant Cell Phone		Applicant Work Phone	
Applicant Relationship to Property	Representative		
Property Owner Name	Jacob and Rivka Gruenebaum		
Property Owner Address	3781 Bendemeer		
Property Owner City/State /Zip	Cleveland Heights/OH/44141		
Property Owner Phone			
Property Owner Email			
Property Type	Single Family Residential		
Brief Summary of Variance Request	1121.08 b-1a; "The rear lot line of a corner yard coincides with the rear lot line of another corner lot the corner side yard shall be the greater of A. The corner side yard of the abutting corner lot" which in this case is 22'. 1121.12 B. 'A attached new private parking garage on a corner lot shall be set back at least (5) feet from the facade of the primary structure on the side that contains the driveway		
Number of Variances Requested	2		
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.)

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

This is a corner homesite that is typical to the neighborhood with similar features and characteristics seen in the zoning district.

The existing home on the parcel currently has a side setback of approximately 13.7' from the street. Our proposed new dwelling would be an improvement of 2' at the outmost point (the projection of the first floor bathroom) and otherwise a 4' improvement over the home which is currently onsite. The owner's current needs for their family have been evaluated and incorporated into the most efficient design represented by the attached floorplans.

We believe the variance to be insubstantial as it is actually a direct improvement over what is currently existing on the property.

Based on collaboration between the owner, builder and designer, this is the most efficient layout with respect to the home that provides the necessary functionality to meet room requirements for both the first and second floor.

The essential character of the neighborhood would be enhanced by the construction of a new home not only for this owner but for future residents of the neighborhood. It should also be noted that the side of the proposed home would actually be 2' further from the side property line than the current existing structure.

There will be no adverse effects on any government services or utilities. It should be noted that new and safer housing will likely be less cumbersome on city services due to strict building codes with regard to structure and safety and off street parking.

They had no knowledge of the zoning restrictions.

N/A

With respect to the side yard variance, the overall design and functionality of the home would be severely compromised and render the project unworkable to meet the owner's needs. It should be noted that this owner's needs are representative of similar new homes in the surrounding area. Every effort was made to provide as concise a layout as possible.

method other than 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.

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.

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.

With respect to the garage, modern homes typically offer attached parking spaces. This customer is seeking a larger rear yard void of any obstruction for the safety of their children while having recreational activities. A detached or rear entry garage would introduce unwanted traffic hazards and space limitations to this project.

The variances requested will maintain and contribute to the spirit and intent of the zoning and provide substantial justice.

No special privilege will be granted through the issue of this variance that has not already been established in the community through routine example.

Yes