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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):

The garage right now is in the back of the home about 40 feet to the closest door. The doors and garage in general are not big enough todays minivans. By putting it on the side of the house it will be functional and useful.

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.

Without a variance we would need to leave a 2 car garage in the backyard which results in very little green area.

C. Explain whether the variance is insubstantial:

It would not infringe on any property lines.

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

In order to make most use of the house space and the use of the garage that will help keep proper green space on the property for the children to play, especially during this pandemic to have an outdoor space for them.

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 neighborhood wouldnt suffer at all as a result of the variance. It would only boost property value.

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

No, it wouldnt affect any govermental services.

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

We did not know about these zoning restrictions when we purchased the property.

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

No, the current garage doesnt serve its purpose as they were built almost 100years ago.

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).

There would be no other way to do this without a variance. With the work/plans that we have it makes the garage usable for the purpose of parking the car inside and being to go directly into the house.

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

The intent is to ensure off street parking. Granting this variance will allow this to happen in a safe and practical matter.

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,

K. structures, or buildings in the same district.

The variance will not confer any special privilege to land owner.

If you have questions, please contact the Planning Department at 216-291-4878 or planning@civilts.com.

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