

**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):

This home is similar to many others built in the same time frame. Eight foot deep porches were common in this era.

- 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.

A 6' deep porch would limit the ability to navigate around porch furniture. An 8' porch when furnished with standard porch furniture can be more comfortably traversed.

- C. Explain whether the variance is insubstantial:

The variance is for 2' and is not substantial.

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

Although any increase beyond the 6' would help the porch be more occupiable, an 8' deep porch is standard, especially during the time that the home was built.

- 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.

There are other porches in the neighborhood, and generally porches add desirable character to a home and encourage neighborhood engagement and safety.

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

The additional 2' of depth will not adversely affect the delivery of governmental service.

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

Yes. The need for a variance for a standard 8' deep porch was brought to our attention upon ARB application submission.

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

No special conditions or circumstances were a result of actions of the owner.

- 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).

The depth of the porch cannot feasibly be increased by setting the house back on the lot because the house has been existing since 1937.

- 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 of the zoning requirement is to maintain rhythm of structures on the street and a uniform setback from the street. This porch is a single story open porch and the body of the main structure will be exposed and will help maintain the rhythm of structures on the street. The open single story porch extending 2' forward will not greatly impact any views down the street by neighbors.

- 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 for the porch depth is not substantial, and the character of the home will be respected with a porch in proportions that were of the era of the existing neighborhood structures. A porch of 8' depth is not likely to stand out as a structure of special privilege.

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.



Existing Home and Detached Garage



Existing Grade behind Existing Garage



Rear Wall of Existing Garage





Existing Streetscape



Left Side Elevation Photo



Right Side Elevation Photo