

STATEMENT OF PRACTICAL DIFFICULTY

To obtain a variance, an applicant must show, 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 combination of the speed of traffic, and current landscaping obstructions do not make it possible to see the signs from the road as you are driving.

- 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.

We are marketing the building to a specific group of technology based companies commuting between University Circle, Downtown Cleveland, and the neighboring east side communities. In order to get their attention in the morning or evening. A sign in a window on the building would not be visible at those times or in that traffic. We are working to attract high-income tenants to the city.

- C. Explain whether the variance is insubstantial:

The sign will be high quality, temporary, and has good structure.

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

The sign must be visible to the specific market without distracting them from their commute. Therefore we will use minimum verbage, but must be large enough to read easily.

- 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 purpose of this variance is to attract high-tech tenants to the building. The building is under new management and investments are being made to modernize the building while attracting high-income tenants which are more likely to frequent the nearby Cleveland Heights Recreation Center, as well as the Coventry and Cedar Lee Districts. The variance itself will not alter the character of the neighborhood, and will have the opposite effect of detriment due to the reasons outlined above.

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

No

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

No

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

No

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).

Not to my knowledge.

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

We are a professional firm with the intent to attract investments to the community. I believe much of this zoning was set in place to maintain professionalism and preserve value of the neighborhood; our firm will do exactly that.

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.

We are the first to establish a true Technology Center in the city, no other buildings have the ability or expertise to do this.

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

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