

# 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):

STOP people from loitering on property  
STOP people from using property as a cut thru.  
Add Safety and Security from people exiting building.

- 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.

STOP people from loitering on property.  
using property as a cut thru.

- C. Explain whether the variance is insubstantial:

The fence would be a substantial barrier in  
stopping people cutting thru the parking lot.

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

Yes, This will STOP people cutting thru the property

- 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.

IT would add TO The Safety, Security and Appearance  
of the properties.

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

No impact

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

YES

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).

NONE

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

This will have a positive affect for all parties involved.

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.

No privilege or denied privilege to any parties involved.

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.