



Calendar number _____

BRIEF SUMMARY OF PROJECT AND VARIANCE REQUEST

Box bay at living room.

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

Current house has long narrow living room at the front of the house, which is up to the setback line.

- 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.

Box bay will make the living room a much more workable/livable space.
Current living room is like a bowling alley

- C. Explain whether the variance is insubstantial:

Box bay bump out will be a positive addition to the neighborhood and is in keeping with the spirit of the zoning laws and the look of the neighborhood.

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

4 foot bump out provides a far more usable interior living room space with a width at the box bay of 15 feet.

Impact is minimized through the use of a well scaled box bay.

- 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.
Box bay in keeping with the style of the house and the neighborhood. Adjoining property has small cantilevered bay, two houses down has enclosed entry 4 to 5' over setback line, 5 houses down has 2nd floor, porch and enclosed entry pulled forward. These are a few of many examples along the street.
- E. Explain whether the variance would adversely affect the delivery of governmental service (e.g., water, sewer, garbage).
No adverse effect to the delivery of any governmental service.
- F. Did the applicant purchase the property without knowledge of the zoning restriction?
Detailed specifics of zoning were not known at the time of purchase. Viewing the neighborhood houses, it seemed that some sort of box bay is in keeping with the neighborhood.
- G. Explain whether the special conditions or circumstances (listed in response to Question A above) were a result of actions of the owner.
Specific conditions listed in question A are not the 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 living room width can only be increased to the south. Bounded on the north side by main bearing wall and circulation (stairs).
- I. Explain whether the spirit and intent behind the zoning requirement would be observed and/or substantial justice done by granting the variance.
The spirit and intent are observed. Box bay in keeping with house style. Many bay bump outs in the neighborhood. House next door has a smaller bump out, two houses down has enclosed front entry 4 to 5' over. The house with the box bay will improve the neighborhood.
- 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.
Granting of the variance does not confer on the applicant any special privilege that is denied to others. See response to Item I.

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