

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):

Driveway at said residence is too narrow to accommodate vehicles being parked side by side.

- 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.

Vehicles are currently being parked on lawn parallel to driveway, which is deteriorating and does not allow for curb appeal.

- C. Explain whether the variance is insubstantial:

There are several properties on North Taylor Rd. with the same alteration/variance type's being requested. Addresses are: 2226, 2256, 2275, 2279, 2290, 2319 + 2320 - All North Taylor Road.

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

This variance request to add a car pad is the minimum specified as the property has an attached garage. There is no other land on the property to allow for parking without a request for a special event, which is not allowed on North Taylor Road.

- 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 extension/car pad would not extend on to adjacent properties. There are several properties on North Taylor Road with the same variance being requested; 2226, 2256, 2275, 2279, 2290, 2319 + 2320 - All North Taylor Road.

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

The Request would not interfere with water, sewer or garbage service

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

At the time of property purchase, the zoning restriction was not known. Therefore, zoning restriction was not disclosed or discussed.

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

Family has grown, additional drivers, additional cars - need additional parking space.

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).

Excessive parking such as overnight or during the day is allowed on North Taylor Road.

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

Multiple vehicles can be stored in driveway, side by side as they are parked with water driveway & steps with a car jack & rollers. Flow will not be impacted on North Taylor Road, which doesn't allow for parking on the street.

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.

Multiple properties listed in question #C, A & D have the addition of car jacks.

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

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