



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):

A 40" HIGH FENCE WOULD NOT BE A DETERRENT TO SOMEONE ENTERING THE PROPERTY

- 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.

ALTHOUGH CARS COULD CONTINUE TO PARK IN THE LOT, THEY ARE NOT PROTECTED AND EITHER IS THE PROPERTY

- C. Explain whether the variance is insubstantial:

AN ADDITIONAL 24" OF FENCE IS INSUBSTANTIAL IN CHARACTER

- 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.

AN ADDITION OF 24" WILL NOT HAVE ANY AFFECT ON THE NEIGHBORHOOD

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

THE VARIANCE WILL HAVE NO AFFECT ON SERVICES,

- 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.

OVER THE YEARS ON THE PROPERTY SECURITY HAS BECOME MOST IMPORTANT TO EVERY SCHOOL

- 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).

A DECORATIVE FENCE IS THE LEAST PROTECTION NECESSARY - OTHER MEANS SUCH AS A SOLID HIGH WALL WOULD BE MORE SUBSTANTIAL

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

THE 40' FENCE ORDINANCE WAS FOR A DECORATIVE FENCE NOT A SECURITY FENCE

- 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.

THERE ARE OTHER FENCED PROPERTIES IN CLEVELAND HEIGHTS

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.

June 22, 2019



JFC Security, LLC

To Whom It May Concern:

This letter is being written in support of the installation of a new 6' ornamental fence at the Hebrew Academy property located at 1860 S. Taylor Rd., Cleveland Heights Ohio. The proposed fence would encompass the parking area on the northern and western sides of the Academy.

The Jewish Federation of Cleveland takes the safety and security of our community very seriously. With the documented increase in threats and attacks to the Jewish Communities both here and overseas, we are encouraging all of our Cleveland area Jewish agencies to increase their security preparedness and facility target hardening. We are especially concerned for the safety of our school children. The Hebrew Academy of Cleveland is the largest Jewish Day School in the State of Ohio and has been an institution in the City of Cleveland Heights for decades.

A security review of the Academy's grounds, completed by members of JFC Security LLC., revealed a gap in their security. Trespassers on foot, not associated with the Academy, frequently use the parking lot area as a short cut or to congregate on Academy ground. To properly secure this area from these trespassers and others not associated with the Academy, it is my recommendation that the parking lot be secured in its entirety with the proposed fencing.

The installation of the proposed fencing system will provide a secure area for staff and students during school hours and during recess when students utilize the adjacent playground. In addition, the proposed fence will further secure the parking area during evening and nighttime hours when the Academy is closed. Fencing that is only four feet in height can be easily scaled and provides no obstacle to those wishing to trespass on Academy property. The proposed electronic gate to be installed at the Berkley Road entrance to the parking lot will also limit the number of unauthorized vehicles from entering the lot.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Jeff Robertson', is written over the typed name.

Jeff Robertson
Deputy Director of Security
JFC Security LLC