

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):

Currently there are 2 contiguous garages built across the property line dividing 1490 and 1494 Rydalmount. Both parcels are served by a narrow (7') shared driveway, which is on the 1490 lot, and to which 1494 has a perpetual easement granting access. This arrangement was, and remains necessary, because 1494 Rydalmount is narrower than code (40' wide).

- 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.

Without the variance, construction of separate garages and the requisite wider driveway would take up a great deal of otherwise usable yard space, create larger pads, driveway and roof lines, and more runoff.

- C. Explain whether the variance is insubstantial:

It seems to me that expanding on the current configuration is the simplest solution to an existing problem- very limited space.

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

The variance would allow the most practical, attractive and sustainable solution to the problem.

- 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 essential character of the neighborhood would be changed LEAST by the granting of the variance, allowing both properties to continue the "mutual encroachment" for the resulting shared benefit of greater yard space and less paved area. Also, the demolition and modernization of these very out of date and unsightly structures would greatly enhance immediate area.

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

Not at all. Also, reconstruction may also improve access to the rear power lines as the current structures are only 18" off the back property line.

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

I was vaguely aware of zoning restrictions, but when I bought 1490 twenty plus years ago I was not contemplating the implications of the existing connected garages.

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

They are not.

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).

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

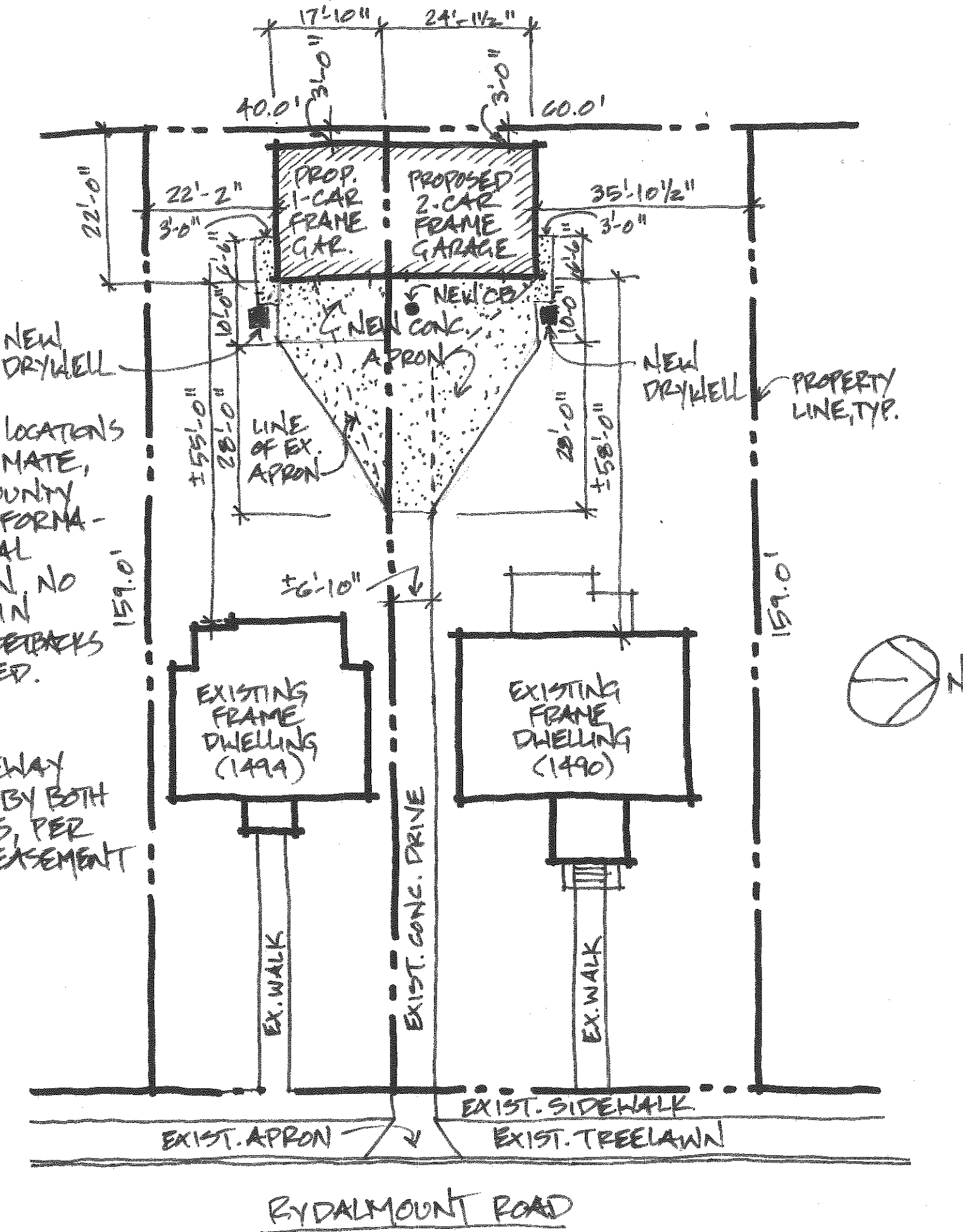
Again, I believe that granting the variance and allowing the "mutual encroachment" would be most beneficial to both property owners, present and future. It will create a pleasing look for the neighborhood.

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.

None that I can think of.

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.



NOTE: HOUSE LOCATIONS ARE APPROXIMATE, BASED ON COUNTY WEBSITE INFORMATION & VISUAL INSPECTION. NO DECREASE IN EXISTING SETBACKS IS PROPOSED.

NOTE: DRIVEWAY IS SHARED BY BOTH PROPERTIES, PER EXISTING EASEMENT

MAXIMUM AREA AND REAR YARD COVERAGE Per Zoning Schedule 1121.12(d)

1490 Rydalmount - Rear Yard Area: 4,410 sf*
Garage
 Proposed Area: 531 sf
 Max Allowable Area: 1,200 sf
 Rear Yard Coverage: 12%
 Max Allowable Coverage: 20%

Paving
 Existing Drive* + Proposed Apron and Walk: 838 sf
 Max Allowable Area: 2,000 sf
 Rear Yard Coverage: 19%
 Max Allowable Coverage: 30%

Garage and Paving
 Proposed Area: 1,369 sf
 Max Allowable Area: No limit
 Rear Yard Coverage: 31%
 Max Allowable Coverage: 60%

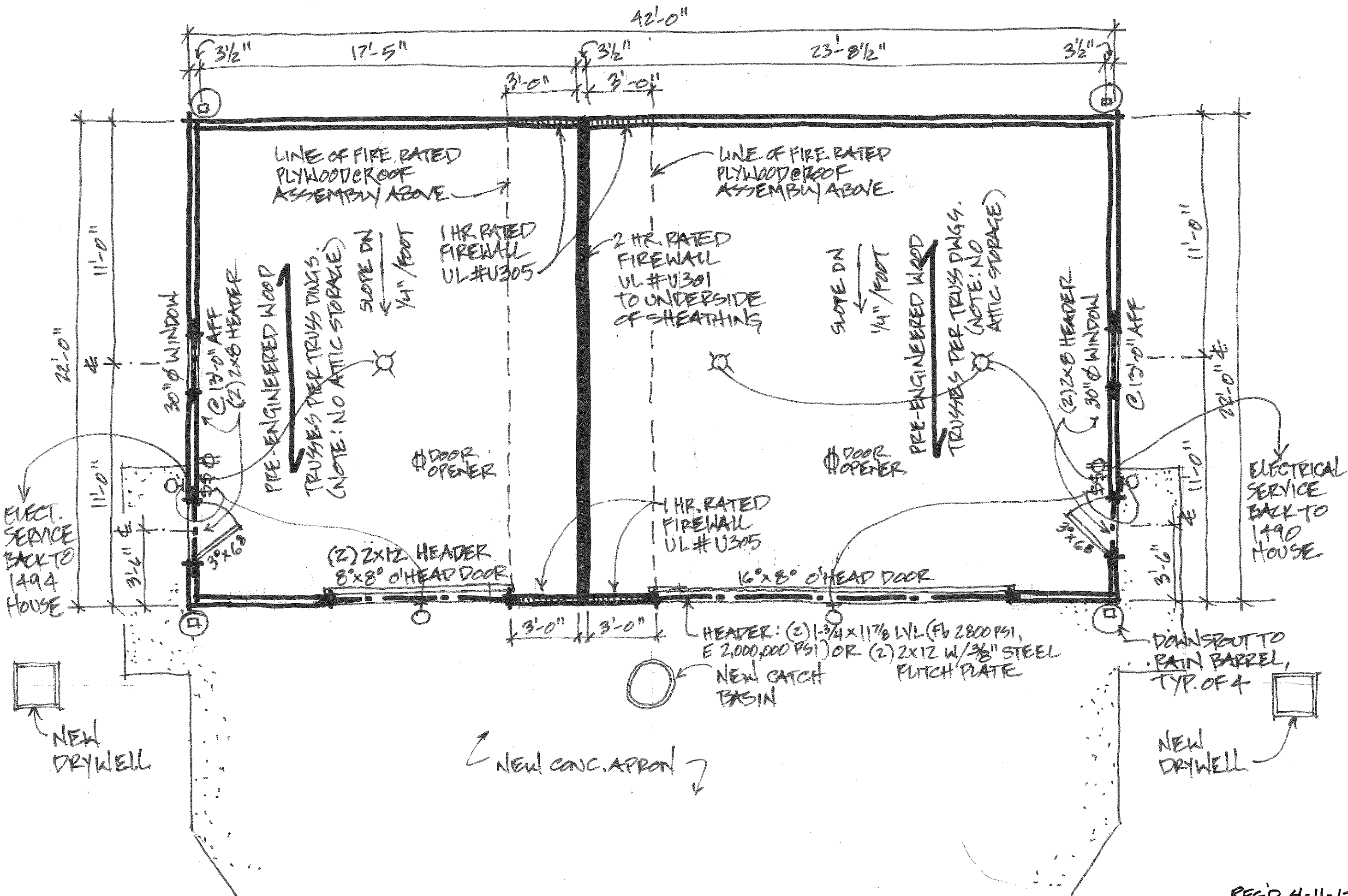
1494 Rydalmount - Rear Yard Area: 3,220 sf*
Garage
 Proposed Area: 392 sf
 Max Allowable Area: 1,200 sf
 Rear Yard Coverage: 12%
 Max Allowable Coverage: 20%

Paving
 Proposed Apron and Walk: 455 sf
 Max Allowable Area: 2,000 sf
 Rear Yard Coverage: 14%
 Max Allowable Coverage: 30%

Garage and Paving
 Proposed Area: 847 sf
 Max Allowable Area: No limit
 Rear Yard Coverage: 26%
 Max Allowable Coverage: 60%

*Estimated, based on county website information and visual inspection. No survey available.

HANLEY GARAGES
PROPOSED SITE PLAN
 1490 & 1494 Rydalmount Road, Cleveland Hts., OH SCALE: 1"=20' DATE: 4/12/17



HANLEY GARAGES FLOOR PLAN
 1490 & 1494 Rydalmount Road, Cleveland Hts., OH SCALE: 1/4"=1'-0" DATE: 4/12/17