

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):

1. There is currently a one car garage on the 1494 property.
2. 1494 Rydalmount is smaller and narrower than code (40' wide and 6300 total sf).

- 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.

We are planning to expand the 1494 from a single car structure to a 1.5 car garage. We see this expansion as a good compromise. It allows more usable storage space without occupying as much of the small lot that a full 2 car garage and its driveway would require.

- C. Explain whether the variance is insubstantial:

It seems to me that a 1.5 car garage is a good compromise. It would still allow for the parking of two cars (one in and one out) on the 1494 property, but does not eat up so much of an already small back yard.

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 not be changed. At least one of our neighbors has an attractive and recently built single car garage.

- 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 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.

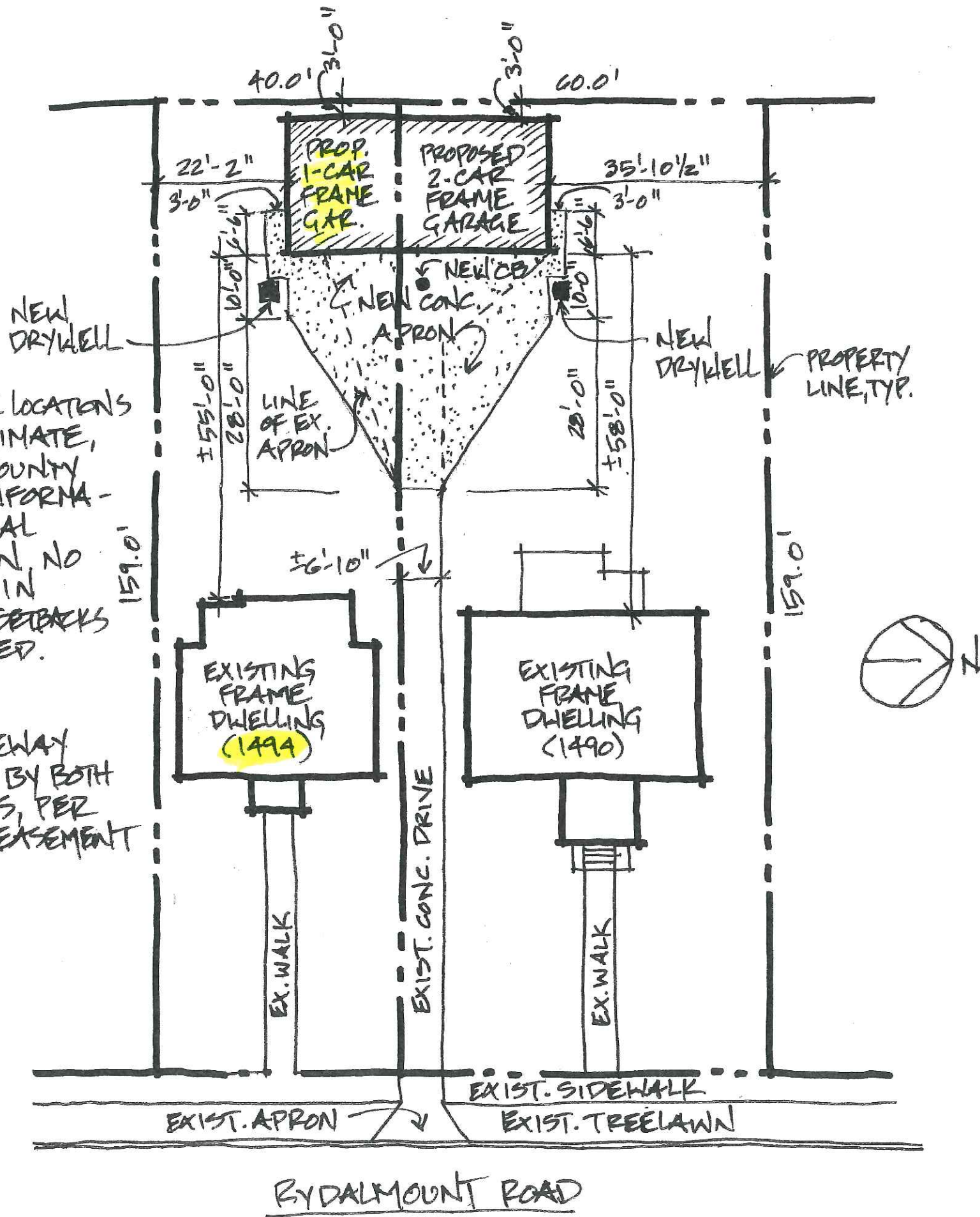
Again, taking into consideration the small size of the 1494 lot and the shared driveway factor, we feel this planned expansion will suit the property nicely.

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 · **SITE PLAN**
 1490 & 1494 Rydalmount Road, Cleveland Hts., OH SCALE: 1"=20' DATE: 4/4/17