



## BOC Summary Document

Submitted Date: December 18, 2023

<b>Permit Number:</b>	SV23-000010	<b>Permit Type:</b>	Board of Zoning Appeals Standard Variance
<b>Property Address:</b>	17412 SHELBURNE RD CLEVELAND HEIGHTS, OH 44118		
<b>Application Date:</b>	12/18/2023		
Applicant Name	Colton Crea	Applicant Email	
Applicant Address	10690 Mayfield Rd, Chardon, OH 44024 Chardon OH 44024	Applicant Company Name	Payne and Tompkins Design Renovations
Applicant Company Address	10690 Mayfield Rd, Chardon, OH 44024 Chardon OH 44024	Applicant Home Phone	
Applicant Cell Phone		Applicant Work Phone	
Applicant Relationship to Property	Representative		
Property Owner Name	FAIRMOUNT MONTESSORI ASSOCIATION, INC		
Property Owner Address	17412 Shelburne Rd		
Property Owner City/State /Zip	Cleveland Heights/Ohio/44118		
Property Owner Phone			
Property Owner Email			
Property Type	Multi-Family Residential, Commercial, etc.		
Brief Summary of Variance Request	The addition off the back of the home is within 50 feet of the side property line. We would like a variance to build the addition in this location.		
Number of Variances Requested	1		
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	A special condition that is unique to this property is that the code requires a 50' side yard setback, yet much of the existing building is already within 50' of the property line. It is also unique in the fact that it borders two roads (Fairmount and Shelburne) along with this		

irregularity, narrowness, shallowness or steepness of the lot, or adjacency to nonconforming and inharmonious uses, structures or conditions.)

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.

C. Explain whether the variance is insubstantial.

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

E. 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.

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

G. Did the applicant purchase the property without knowledge of the zoning restriction.

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

I. Demonstrate whether the applicant's predicament feasibly can be resolved through a method other than

property being adjacent to both a residential home and a school.

The school owns this property and seeks to expand it to accommodate their usage, in particular the need for larger spaces. We need to expand the existing building's central space to accommodate the school's intended usage. The property is on a corner bordering Shelburne and Fairmount and cannot be expanded any further to the left side (when looking at the building from Shelburne) or front of the building.

We feel that the variance is insubstantial due to the fact that much of the left side of the home (when looking at the front of the home from Shelburne) is already well within 50' of the neighbors property line. Our proposed addition, while closer than 50' from the property line, is also 25' or more further away from the side yard than a substantial portion of the pre-existing structure.

In order to expand the room in the existing building out the rear to meet the goals of the clients, this is the furthest away that goal can be met and still have the addition meet up with the interior space.

The essential character of the neighborhood is not substantially altered because this addition will not be visible to any property owners other than the school and the neighbor to the left, both of whom are in support of this project. (A letter from the neighbor in support will be submitted independently)

Because the addition sought by the variance is on the rear of the building, it will not affect the delivery of any governmental services

We do not believe that the property owner knew of the core requirement for a 50' side yard when they purchased the building.

The circumstances unique to this project pre-existed the owners purchase of the building.

We don't believe we can create another space on this property of the size supported by this addition without this building getting too close to the school or compromising circulation or outdoor recreation space for the school.

a variance (e.g., a zone-conforming but unworkable example.)

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

K. 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.

Once you submit your application you will be taken to the payment page. Enter your payment information and submit. I understand review won't start until payment is made.

The spirit and intent of the zoning requirement is to prevent structure from being placed too closely to a property. In this instance, a significant portion of the existing building is already closer than 50' to the sideyard and the neighbors most affected by this are in support. Granting the variance allows the school to meet their needs with the support of the impacted neighbors.

No additional privilege is granted on the property if this variance is approved.

Yes

Case Number

3576



P.P.N. 687-22-001  
BEAUMONT SCHOOL  
3240 FAIRMOUNT BLVD.

N31°16'16"W  
52.11

N32°21'41"E  
72.30

P.P.N. 687-23-002  
MAUREEN A. LAMB  
17420 SHELBY RD.

N31°18'26"E  
299.94

PIL

A=6.33

N31°16'16"W

SHELBY RD 85'

NOTE:  
SEDIMENT AND SOILS SHALL NOT BE  
DEPOSITED ON ADJACENT ROADWAY.

N32°21'41"E  
72.30

PIL

A=6.33

N31°16'16"W

R/W

PIL

A=6.33