

CL NB 3579



## **BZA Summary Document**

Printed Date: May 01, 2024

<b>Permit Number:</b>	SV24-000005	<b>Permit Type:</b>	Board of Zoning Appeals Standard Variance
<b>Property Address:</b>	2540 OVERLOOK RD CLEVELAND HEIGHTS, OH 44106		
<b>Application Date:</b>	03/19/2024		
<b>Applicant Name</b>	Andrew Torowski	<b>Applicant Email</b>	[REDACTED]
<b>Applicant Address</b>		<b>Applicant Company Name</b>	CT Consultants, Inc.
<b>Applicant Company Address</b>	8150 Sterling Court Mentor oh 44060	<b>Applicant Home Phone</b>	
<b>Applicant Cell Phone</b>	[REDACTED]	<b>Applicant Work Phone</b>	
<b>Applicant Relationship to Property</b>	Representative		
<b>Name</b>	David Goodman		
<b>Property Owner Name</b>	David Goodman		
<b>Property Owner Address</b>	23425 Commerce Parkway		
<b>Property Owner City/State /Zip</b>	Cleveland Ohio 44122		
<b>Property Owner Phone</b>	[REDACTED]		
<b>Property Owner Email</b>	[REDACTED]		
<b>Property Type</b>	Multi-Family Residential, Commercial, etc.		
<b>Brief Summary of Variance Request</b>	1. Variance request to reduce the access aisle from the required dimension of 22 feet due to the existing property dimension limitations. 2. Variance request to remove the landscape requirements indicated in 1166.06 due to the existing dimension limitations of the property		
<b>Number of Variances Requested</b>	2		
<b>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</b>	The existing rear yard of the property houses an existing row of garages with an access		

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.)	aisle. The existing access aisle is currently non-conforming with the zoning code. Additionally, there is no existing landscaping / vegetation at the rear yard due to the property dimension limitations.
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 approval, proposed improvements to the parking area would not be approved for construction. Without the improvements, the materials that the existing garages are constructed with will deteriorate to a point where it could pose a safety hazard, making the garages unusable for building tenants.
C. Explain whether the variance is insubstantial.	Due to the property dimension limitations, improvements that would make the parking area in compliance would not be feasible. The proposed improvements meet the intent of the zoning code and deemed insubstantial.
D. Explain whether the variance is the minimum necessary to make possible the reasonable use of the land.	Due to the property dimension limitations, the proposed variance requests are minimum to meet the intent of the zoning code.
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.	There are numerous existing on grade and covered parking areas in the surrounding district. The proposed improvements will remove the existing garages whose materials have reached their expected life span, and replace it with on grade parking with ornamental fencing and a secure access gate for building occupants.
F. Explain whether the variance would adversely affect the delivery of governmental service (e.g., water, sewer, garbage.)	With proper notification to the Owner of the property, all delivery services will have access to the improved parking areas.
G. Did the applicant purchase the property without knowledge of the zoning restriction.	NA
H. Explain whether the special conditions or circumstances (listed in response to question A above) were a result of actions of the owner.	The variance requests are made due to the property dimension limitations, and not by any action of the Owner.
I. Demonstrate whether the applicant's predicament feasibly can be resolved through a method other than	The variance request are made because there is no feasible way to comply with the current zoning requirements due to the property dimension limitations.

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.

The approved variance request would allow for the proposed improvements to the parking area to proceed creating a secure area for the residential occupants of the building.

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.

Most or all property Owners in this district would be requesting similar variances for future proposed improvements to their own properties. Most or all properties in the district are more than likely non-conforming lots already and would not comply with current parking requirements.

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.

Yes