



BZA Summary Document

Printed Date: September 12, 2024

Permit Number:	SV24-000015	Permit Type:	Board of Zoning Appeals Standard Variance
Property Address:	1704 LEE RD CLEVELAND HEIGHTS, OH 44118		
Application Date:	08/21/2024		
Applicant Name	Martin Cosentino	Applicant Email	
Applicant Address	1704 LEE RD CLEVELAND HEIGHTS OH 44118	Applicant Company Name	Alpha Omega One Construction Co.
Applicant Company Address	1704 LEE RD CLEVELAND HEIGHTS OH 44118	Applicant Home Phone	
Applicant Cell Phone		Applicant Work Phone	
Applicant Relationship to Property	Representative		
Property Owner Name	Alpha Omega One Const. Co.		
Property Owner Address	1704 Lee Road		
Property Owner City/State /Zip	Cleveland Heights, OH 44118		
Property Owner Phone			
Property Owner Email			
Property Type	Single Family Residential		
Brief Summary of Variance Request	Variance #1, an existing 1'-0" curb between driveway and residence South of 1704. Variance # 2 the proposed addition covers 77% of side yard - over 60% limit.		
Number of Variances Requested	2		
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	The existing 12" South setback line is a condition that came with the purchase of the property in Jan. 2024. Setting a 3' setback on that South property line would reduce the width between structures to 6 feet, preventing the use of the driveway to access the rear garage.		

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.

As mentioned above, without the variance, the necessity to provide a 36-inch setback will prevent the use of the driveway to access the rear garage.

C. Explain whether the variance is insubstantial.

The variance is substantial in that it allows the existing driveway to function as access to the rear garage, with the one-foot setback that currently exists at the South parcel property line.

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

Yes, the variance is the minimum necessary to make use of the driveway, since building a 36-inch setback at the South property line would prevent that usage of the driveway.

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.

No, the essential character of the neighborhood would not be altered or suffer a substantial detriment as a result of granting the variance.

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

No, the variance would not adversely affect the delivery of any Governmental or municipal service.

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

No, the applicant was aware of the existing condition, and the need to apply for this setback variance in this application.

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

No, the conditions described at 1704 Lee Road existed prior to the owner purchasing the property in Jan. 2024.

I. 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.)

No, the predicament cannot be feasibly resolved, as a zone conforming condition (a 36-inch setback) would prevent the use of the driveway space access to the garage at the rear of the property. With regard to Variance #2, the added members of the family to the current residence requires the additional square footage of the proposed two-story addition.

J. Explain whether the spirit and intent behind the zoning requirement would be

Yes, the spirit and intent of the requirement allows reasonable use of the driveway as the

observed and/or substantial justice done by granting the variance.	sole access to the rear garage, and the granting of the variance recognizes the existing 12" setback as an existing condition not feasibly resolved.
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.	The granting of the variance #2 will permit the construction of the proposed addition as a reasonable response to the additional family members occupying the residence. The proposed use of surface pavers at the First-floor West elevation grade level decreases the building coverage of the side and rear yards, along with the paver area planned in front of the garage entrances.
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