



BZA Summary Document

Printed Date: November 21, 2024

Permit Number:	UV24-000002	Permit Type:	Board of Zoning Appeals Use Variance
Property Address:	2230 GRANDVIEW AVE CLEVELAND HEIGHTS, OH 44106		
Application Date:	11/20/2024		
Applicant Name	Nicholas Weiss	Applicant Email	
Applicant Address		Applicant Company Name	N.P. Weiss Law
Applicant Company Address		Applicant Home Phone	
Applicant Cell Phone		Applicant Work Phone	
Applicant Relationship to Property	Representative		
Property Owner Name	Cleveland Premium Rentals 5, LLC		
Property Owner Address			
Property Owner City/State /Zip			
Property Owner Phone			
Property Owner Email			
Property Type	Single Family Residential		
Brief Summary of Variance Request	The property is severely economically disadvantaged regarding the City housing requirement that no more than 3 unrelated persons may occupy any unit.		
Number of Variances Requested	1		
Please explain why or how the property cannot be put to any economically viable use under any of the permitted uses in the zoning district?	The property is severely economically disadvantaged regarding the City housing requirement that no more than 3 unrelated persons may occupy any unit. The property subject to this application is located at 2230 Grandview Rd., Cleveland Heights, OH 44106. This home is spacious, with approximately 3,000 square feet of finished living space, 7 bedrooms, and 2 full/one half bathrooms and ample closet and storage space. There is a full (unfinished) basement under the structure. There is a long, paved driveway with parking space in addition to the detached garage. Attached to this application are a site plan and floor plans with the dimensions listed. The total lot size is 6,347 square feet. The structure follows all Building and Housing Code regulations. The property is currently being used as a rental property and the estimated fair market rental value of the property when factoring in 7 occupants is roughly \$4,550 per month. Given its size and the number		

of bedrooms and bathrooms, the property was clearly intended to house 7 or more persons. The current definition of a "family unit" under Section 1103.03(b)(3) of the Cleveland Heights City Code severely limits the applicant's ability to market and rent out a property of this size. The property is a 10-minute walk to Case/University Circle. Therefore, the target audience of the current owner is graduate students attending Case Western Reserve University, Lerner College of Medicine and other programs in University Circle; medical residents; and single professionals. The structure is in incredible condition, well-kept, and has updated features. Finding quality, safe, and affordable living options for students or community members can be challenging. A top priority of Mr. Chaw is to provide the community with access to such living options, particularly for international students who have difficulty finding housing.

The variance requested stems from a condition which is unique to the property at issue and not ordinarily found in the same zone or district. This/these condition(s) is/are:

The property at issue is over 3,000 square feet and has the ability to safely and spaciouly accommodate more than 3 unrelated persons. The property is just over a mile from Case Western Reserve University and walking distance to Cedar-Fairmount's shops and restaurants, making it a perfect location for students, as it is readily accessible by bike, foot and car.

The hardship condition is not created by actions of the applicant. The hardship condition is a result of:

The condition that only 3 unrelated occupants occupy a rental unit is not within the control of or as a result of the owner's actions. The United States is currently facing a shortage of affordable rental housing. Permitting an exception to Section 1103.03(b)(39) will permit this property to house additional persons at an affordable price (rent split 7 ways comes out to \$650 per month).

The granting of the variance will not adversely affect the rights of adjacent property owners or residents; because:

The surrounding owners will not be adversely affected by the requested occupancy change. The change will not affect the use and enjoyment of their property. Any concerns about noise or community living concerns will be addressed in the leases to the tenants directly. Tenants will be prohibited from violating any City Ordinance. For parking concerns, as tenants will be graduate students – many of them international – not all occupants will own cars. The owner has a local agent and will do frequent checks of the property. The property will remain in compliance with all waste, trash removal and lawn care and maintenance as to abide by City Code. No unreasonably loud noise or nuisance like behavior will be permitted at the premises as to abide by City Code. Aside from these extra steps taken to ensure community standards are upheld, the screening process for prospective tenants is thorough and diligent to find the best, most responsible tenants, whether they are a student or not. The average lease term for the tenant occupants of the property is for a minimum of 12 months. In addition, the requested occupancy change will not have an adverse effect on community resources. All tenants will be over the age of 18 and not attending public schools. The property's size already allows it to accommodate the requested number of persons, so it will not cause any strain on safety services, local parks, or other community resources.

The granting of the variance will not adversely affect the public health, safety or general welfare; because:

All tenants who occupy this residence will be required to comply with quiet hours, parking rules and other restrictions set forth in the lease. In addition, they will be expected, like the rest of the community, to conform to the rules set out by the City Code. Having a reasonable amount of people allowed occupy a dwelling that was built safely and spaciouly accommodate the requested increase sought would not hurt the general welfare of the community, and rather would benefit the community by having responsible tenants as active and participating members of the community.

The variance will be consistent with the general spirit and intent of the Zoning Code; because:

According to the City of Cleveland Heights website, the city describes itself as a "diverse, progressive, vital suburb of Cleveland just up the hill from Community Circle." The requested occupancy change is in line with the plans and goals of the City. In the City's Master Plan, Section Six titled "Goals and Actions," Goal B, Action 2, is to "develop targeted marketing efforts to attract diverse new residents to Cleveland Heights." The key demographics for this section includes young professionals, students and medical staff.

These key demographics mentioned in this section of the City Plan would be those who will directly benefit from this requested Zoning Use Variance. A grant of the requested variance would allow more populations to find a place to call home in Cleveland Heights.

Please explain how the variance sought is the minimum which will afford relief to the applicant.

Granting this request for occupancy change would allow the owner to use his property in accordance with how the property was intended to be used when it was built: The spacious home has 7 bedrooms and 3.5 bathrooms, and at over 3,000 square feet of living space, breaks down to approximately 426 square feet per person (with ample storage space on the third floor, and in the unfinished basement). Therefore, the property is suitable for the number of occupants requested with this variance application. The applicant is not requesting a variance beyond the accommodation ability of the home.

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