



## BZA Summary Document

Printed Date: February 24, 2025

<b>Permit Number:</b>	SV25-000002	<b>Permit Type:</b>	Board of Zoning Appeals Standard Variance
<b>Property Address:</b>	3255 BERKELEY RD CLEVELAND HEIGHTS, OH 44118		
<b>Application Date:</b>	01/27/2025		

Applicant Name	John D'Amico	Applicant Email	
Applicant Address		Applicant Company Name	The Great Garage Company
Applicant Company Address		Applicant Home Phone	
Applicant Cell Phone		Applicant Work Phone	
Applicant Relationship to Property	Representative		
Property Owner Name	Martha Newman		
Property Owner Address	3255 Berkeley Rd.		
Property Owner City/State /Zip	Cleveland Hts., OH. 44118		
Property Owner Phone			
Property Owner Email			
Property Type	Single Family Residential		
Brief Summary of Variance Request	Build a 16x20 detached garage. The first request is a sideline setback variance of 3'. The second request is a rear line setback variance of 2' at the left rear corner of the garage.		
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

The reason for the variance is due to the irregularity of the lot. This lot is located on the western end of Berkeley Rd. where the road bends, making the lots have curved front property lines and angled rear property lines, unlike the rest of the lots on Berkeley. The

District. (examples of this are: exceptional 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 a

client's lot is 42' wide at the front and 35' wide at the rear of the property, and the garage is currently in the right rear corner of the lot.

The garage cannot be moved off of the right property line because it would put the overhead door behind the envelope of the house. The shape of the lot doesn't allow us to move up off the rear property line as we are only 10' away from the house.

In order to maintain the ability for a car to pull down the driveway and into the garage, the garage must stay in its existing location.

In order to maintain the ability for a car to pull down the driveway and into the garage, the garage must stay in its existing location. The garage cannot be moved off of the property line because it would put the overhead door behind the envelope of the house.

The garage has always been in the same location, we do not believe the essential character of the neighborhood and neighboring properties will experience a substantial alteration.

This will not restrict governmental services.

The applicant was not aware of the zoning restriction at the time of purchase.

The garage was already there when the current owner purchased the home.

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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.

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property line because it would put the overhead door behind the envelope of the house. The shape of the lot doesn't allow us to move up off the rear property line as we are only 10' away from the house

We believe the spirit and intent behind the zoning requirements are being observed and would grant substantial justice to my client.

No, it will not give the applicant any special privilege, due to the fact that their lot is unlike anyone else's. The irregularity of the lot prevents us from fulfilling the 3' property line setback requirements.

Yes