



BZA Summary Document

Printed Date: June 04, 2025

Permit Number:	SV25-000014	Permit Type:	Board of Zoning Appeals Standard Variance
Property Address:	2725 NOBLE RD CLEVELAND HEIGHTS, OH 44118		
Application Date:	04/21/2025		
Applicant Name	VITO SOSIC	Applicant Email	
Applicant Address		Applicant Company Name	SOSIC PAINTING & REMODELING LLC
Applicant Company Address		Applicant Home Phone	
Applicant Cell Phone		Applicant Work Phone	
Applicant Relationship to Property	Representative		
Property Owner Name	Avellino Acquisitions LLC		
Property Owner Address			
Property Owner City/State /Zip			
Property Owner Phone			
Property Owner Email			
Property Type	Multi-Family Residential, Commercial, etc.		
Brief Summary of Variance Request	Demolish garage and instead of rebuild, create more parking spaces		
Number of Variances Requested			
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			

STATEMENT OF PRACTICAL DIFFICULTY

Brief Summary of Variance Request:

- A. to Code Section 1123.12(a)(1) to permit a parking area to be less than 5 feet from the side property line;
- B. to Code Section 1123.12(a)(1) to permit a parking area to be less than 10 feet from the rear property line;
- C. to Code Section 1123.12(a)(5) to permit a trash receptacle to be less than 15 feet from the side property line;
- D. to Code Section 1123.12(a)(5) to permit a trash receptacle to be less than 25 feet from the rear property line;
- E. to Code Section 1123.12(e) to permit a fence to be taller than 6 feet; and
- F. to Code Section 1166.06(a)(2) to permit no interior parking lot landscaping.

Number of Variances Requested: 6

To obtain a variance, an applicant must show by a preponderance of the evidence, to the satisfaction of the Board of Zoning Appeals (BZA), that strictly adhering to the Zoning Code's standards would result in a "practical difficulty" for the applicant. To this end, a written statement of practical difficulty must accompany an application for a standard variance. Please complete this Statement of Practical Difficulty, **by addressing all of the factors listed below that are relevant to your situation**. Additional documents may be submitted as further proof.

In deciding whether to grant a variance, BZA will consider the following factors in determining whether a practical difficulty exists:

- 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 steepness of the lot, or adjacency to nonconforming and inharmonious uses, structures or conditions):

NA

- 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.

The current garage openings are very narrow and therefore most tenants do not use them. Everyone parks along the building at the moment. There is too much repair needed to fix the garages. We are better off demolishing the garages and instead of building new, create new open spaces to park.

- C. Explain whether the variance is insubstantial:

Need the variances in order to pull the demo permit

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

Need the variances in order to pull the demo permit

D. 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.

NA. Adjoining apartment complex does not have a garage. The neighboring building parking lots would look similar with these variances

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

NA, the dumpster needs to be directly in front of the driveway path due to the dumpster truck not being able to make any turns. With the variance, the dumpster will still be in the direct path it needs to be.

F. Did the applicant purchase the property without knowledge of the zoning restriction?

Yes

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

NA

H. 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).

The other option would be to rebuild the garages but it is more efficient cost, time, and space wise to not rebuild the garages.

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

There would be more space for other tenants to be able to park safely. Currently, the existing garage openings are too narrow and some vehicles have hit the columns. They are all currently parking along the building itself. Only 4 tenants have vehicles in the whole building.

J. 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.

No special privileges

If you have questions regarding the BZA or this application, please contact Planning & Development staff at 216.291.4878 or via email at bza@clevelandheights.gov.

The factors listed above can be found in Subsection 1115.07(e)(1) of the Cleveland Heights Zoning Code.