



## BZA Summary Document

Printed Date: February 02, 2026

<b>Permit Number:</b>	SV26-000001	<b>Permit Type:</b>	Board of Zoning Appeals Standard Variance
<b>Property Address:</b>	2618 ASHTON RD CLEVELAND HEIGHTS, OH 44118		
<b>Application Date:</b>	01/16/2026		
Applicant Name	NICHOLAS DUBECKY	Applicant Email	
Applicant Address		Applicant Company Name	INTEGRATED OUTDOOR LIVING, LLC
Applicant Company Address	PO BOX 427 OBERLIN OH 44074	Applicant Home Phone	
Applicant Cell Phone		Applicant Work Phone	
Applicant Relationship to Property	Representative		
Property Owner Name	Megan Newell		
Property Owner Address	2618 Ashton 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	Requesting a variance for property line setback for an in ground swimming pool to allow the concrete to be 4' off the side property line and the pool 8' off the side property line. only one side setback requires a variance, all others are within zoning requirements.		
Number of Variances Requested	1		
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	this property is exceptionally narrow requiring the pool to be located close to the property line		

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.)

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 property in question could be used but we are increasing the value of the home by installing this pool thus increasing the value of surrounding homes as well.

C. Explain whether the variance is insubstantial.

This is a very typical variance request and we have neighbors approval. We are not disturbing anything within 4 feet of the existing fence line.

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

In order to correctly place the pool to allow for a safe amount of concrete around all 4 sides of it, this is the only location possible. The existing garage does not allow us to push the pool any further into the backyard.

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 will be no effect on the neighboring properties as we will be staying within the existing fence line.

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

this will not adversely effect the delivery of gov service at all as we will be installing in the backyard.

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

Yes the owner purchased the property without any knowledge of this requirement and they have wanted a pool since the purchase of this home.

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 narrow lot was not a result of an action of the homeowner.

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.)

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.

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.

no there is no other area to be able to install this pool that would make the pool safe for the homeowners, guests, or neighbors.

we will observe the spirit of the zoning requirement by placing the pool as far as we possibly can from the side property line on installation of the pool. we are aiming for 4' off the property line for concrete, and 8' off the property line for the pool itself.

this will not confer a special privilege and it will not be visible to people other than adjacent neighbors and the homeowners themselves.

Yes