

Form BZ-SV, page 4 of 8

STATEMENT OF PRACTICAL DIFFICULTY

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):

THE BUILDING IS OPEN ON 3 SIDES TO TRAFFIC
ALLOWING EASY ACCESS TO ANY UNWELCOME PERSON
LOOKING TO DO HARM

- 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 BEING SO OPEN FAILS TO MEET
SECURITY NEEDS MAKING IT DIFFICULT TO
PROTECT

- C. Explain whether the variance is insubstantial:

THERE ARE FENCES BORDERING THE PROPERTY
ALREADY AROUND THE RESIDENTIAL LOTS ABUTTING
THE BUILDING - THE PROPOSED FENCE WILL COMPLETE THE SECURITY

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

THE HEIGHT VARIANCE FROM 4'0" TO 6'0" IS
THE MINIMUM FOR SECURITY

- 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.

THE NEIGHBORHOOD WILL NOT CHANGE BY HAVING
A 6'0" HIGH FENCE

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

THE VARIANCE WILL NOT AFFECT THE DELIVERY OF GOVERNMENT SERVICE

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

THE BUILDING HAS BEEN IN PLACE SINCE I DO NOT KNOW IF THERE WAS A RESTRICTION ON FENCE HEIGHT AT THAT TIME

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

SPECIAL CONDITIONS WERE NOT A RESULT OF THE OWNER

- 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).

A SECURITY FENCE AROUND THE PROPERTY IS NEEDED TO PROTECT THE BUILDING & STAFF

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

THE MUCH NEEDED SECURITY JUSTIFY THE VARIANCE

- 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.

HAVE OTHER FENCES HAVE BEEN PERMITTED IN CLEVELAND HEIGHTS IN SIMILAR CIRCUMSTANCES

If you have questions, please contact the Planning Department at 216-291-4878 or planning@clvhts.com.

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

CONSENT TO ACCESS PROPERTY

Please staple this as the second page of each of three copies of your application (or better yet, save paper and copy it onto the back of the first page).

I, the undersigned responsible party (owner, occupant, tenant, or agent for the property owner) of the property described herein, do hereby consent to entry upon said property, at a reasonable time and to the extent necessary, by the City of Cleveland Heights and its officers, employees, and/or agents for the purpose of inspecting said property for compliance with the City's Zoning, Housing, and/or Building Codes. I further certify that I have authority to grant access to said property.

7030 SOUTH TAYLOR
Property Address

Yossi Israeli
Signature of Responsible Party

Yossi Israeli
Name of Responsible Party (please print)

I am the: owner occupant tenant agent for property owner

216-470-1484
Telephone Number

3/2/21
Date

PLEASE NOTE THAT FAILURE TO CONSENT TO A SITE INSPECTION OF YOUR PROPERTY MAY CAUSE DELAY IN YOUR APPLICATION AND/OR MAY CAUSE YOUR APPLICATION TO BE CONSIDERED INCOMPLETE.